761551N52A – SH-AD (11/90)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

"A Tradition of Service"

OFFICE CORRESPONDENCE

DATE: June 23, 2015

FROM: STEPHEN B. JOHNSON, COMMANDER
CENTRAL PATROL DIVISION

TO: CRYSTAL MIRANDA, CAPTAIN
COURT SERVICES EAST BUREAU

SUBJECT: EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS

Case Number:	SH2351000 / FO2379073
Incident:	Hit Shooting & Force
Incident Date:	February 13, 2014
Unit:	Walnut Station
Suspect:	Mendez, Javier MH/03/23/78
Involved Employees:	Sergeant Angela Becerra #[redacted] Sergeant Christina Baker #[redacted] Sergeant Erick Kim #[redacted] Deputy [redacted] #[redacted] Deputy Samuel Orozco #[redacted] Deputy Fredrick Sykes #[redacted] Deputy Jerry Esparza #[redacted] Deputy Nicholas De Leon #[redacted] Deputy Luis Mrad #[redacted]
EFRC Date:	June 18, 2015

The Executive Force Review Committee (EFRC) consisting of Commanders Stephen B. Johnson, Patrick E. Maxwell, and Ralph J. Webb met and reviewed the above case.

FINDINGS:

The EFRC determined the use of deadly force and tactics were within Department policy. However, the EFRC determined [redacted]

RECOMMENDATIONS:

The EFRC recommended [redacted] The EFRC also recommended that the Unit Commander conduct a tactical debriefing of this incident with Station personnel.

SBJ:JRB:jrb

Los Angeles County Sheriff's Department

Officer Involved Shooting

Report Date: 02/13/14	Bureau/Station/Facility: Walnut Station	Admin. Invest.? ☐ Hit? ☑

Incident Information

URN: 014-00943-2910-013	Date: 2/13/14 Time: 1657
City or Station: Walnut Station	Nature of Incident: Suspect committed home invasion robbery at residence in Walnut. Deps responded and located Suspect. A vehicle pursuit occurred. Shortly thereafter a DIS occurred.
Location: [redacted] Elberland Street West Covina, CA 91792	

Location Type (*check one or more*):
- ☑ Backyard
- ☐ Beach
- ☐ Business
- ☐ Freeway
- ☐ Industrial
- ☐ Park
- ☐ Parking Lot
- ☐ Residence
- ☐ Rural
- ☐ School
- ☐ Street
- Other:

Lighting (*check only one*):
- ☐ Darkness
- ☑ Daylight
- ☐ Other
- ☐ Street Lights

Weather (*circle only one*):
- ☑ Clear
- ☐ Cloudy
- ☐ Fog
- ☐ Rain

Distance: 25 feet

Incident Type (*check one or more*):
- ☐ Accidental
- ☐ Armed Person
- ☑ Fleeing Suspect
- ☐ Foot Pursuit
- ☐ Gun Take Away
- ☐ Moving Vehicle
- ☐ Sniper/Ambush
- ☐ Startle
- ☐ Struggle Involved
- ☐ Traffic Stop
- ☑ Unarmed Person
- ☐ Unintentional
- ☑ Vehicle Pursuit
- ☐ Warrant Service
- ☐ Warning Shot
- Other:

Initiated by (*check only one*):
- ☐ Arrest Warrant
- ☑ Call
- ☐ Observation
- ☐ One Person Unit
- ☐ Other
- ☐ Search Warrant
- ☐ Two Person Unit

Prior Activity (*check only one*):
- ☐ Detective
- ☐ Inmate Transport
- ☐ Other
- ☑ Routine Patrol

Total # of Shots Fired by Deputy: 33

Total # of Shots Fired by Suspect: 0

Aero Unit? ☑ Canine Unit? ☐

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*check only one*)	ShiftType (*check only one*)
[redacted]	[redacted]	[redacted]		☐ EM ☑ PM ☐ Day	☑ Regular ☐ Overtime ☐ Off Duty
[redacted]	Kim,	Erick		☐ EM ☑ PM ☑ Day	☑ Regular ☐ Overtime ☐ Off Duty
[redacted]	Shannon,	Yvonne		☐ EM ☑ PM ☐ Day	☑ Regular ☐ Overtime ☐ Off Duty

Non-Employee Witnesses

Last Name	First Name	M.I.	Street Address	City	Zip Code	Work Ph	Home Ph
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	N/A	[redacted]
[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	N/A	[redacted]
[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	N/A	[redacted]

Supervisors

Employee #	Last Name	First Name	M.I.	(*check one or more*)
[redacted]	Kim,	Erick		☑ On Duty ☑ Present during shooting ☑ Witness to shooting ☐ Involved in shooting
[redacted]	Becerra,	Angela		☑ On Duty ☑ Present during shooting ☑ Witness to shooting ☐ Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
	None, due to overtime reduction		

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Saleeby,	John	

PSTD Use Only

SH # ____________

SUPPLEMENTAL EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Employee Witnesses

Last Name	First Name	M.I.	Street Address	Zip Code	Work Ph	Home Ph
Becerra,	Angela	# [redacted]	Walnut Station	91789	909-595-2264	
Baker,	Christina	# [redacted]	Walnut Station	91789	909-595-2264	
Helbing,	Russell	# [redacted]	Aero Bureau		562-421-2701	
Thomsen,	Richard	# [redacted]	Aero Bureau		562-421-2701	

SUPPLEMENTAL NON-EMPLOYEE WITNESSES

Los Angeles County Sheriff's Department

Non-Employee Witnesses

Last Name	First Name	M.I.	Street Address	Zip Code	Work Ph	Home Ph
[redacted]	[redacted]		[redacted]	[redacted]	N/A	[redacted]
[redacted]	[redacted]		[redacted]	[redacted]	N/A	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	N/A	[redacted]

Officer Involved Shooting

URN: 014-00943-2910-013

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
02/13/14	1840		

Employee #	Last Name	First Name	M.I.
[redacted]	Khasaempanth,	Catrina	M.
[redacted]	Smith,	Jeff	
[redacted]	Valencia,	Dominic	

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(SS) SIG Sauer
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED (one code per block)

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S#1	E#2	UC					NN	NN
E#1	S#1	FH	SW	9	Y	Y	GS	AR
E#2	S#1	FH	BR	9	Y	Y	GS	CH
E#3	S#1	FH	BR	9	Y	Y	GS	SH
E#4	S#1	FH	BR	9	Y	Y	GS	AD
E#5	S#1	FH	SW	9	Y	Y	GS	FI

SH-R-438A (rev. 04/18/13)

See Front Side

Officer Involved Shooting
Involved Employee Information

URN: 014-00943-2910-013

Involved Employee

E 1

Employee # [redacted]	Last Name: Orozco,		First Name: Samuel	M.I.
Sex: M Race: H	Rank: DSG	Unit Assignment: Walnut Station	Work Assignment (Unit #, Module, etc.): 292	
ShiftTime (*circle only one*): ☐ EM ☑ PM ☐ Day	ShiftType (*circle only one*): ☑ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:	
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #	Interviewed? ☑
Hrs of sleep prior to shooting: 6-8	Duty Ti[redacted]	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☑ Uniform w/ Vest	Other Factors:	
Age: [redacted]	Height: 510 Weight: 185			
Range Qualification Date: [redacted]		PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? ☑	Number of Prior Shootings: 1 · Directed Force: [redacted]
Weapons Fired Brand: SW M&P	Caliber: 9	# Shots: 5	Weapons Fired Brand:	Caliber: · # Shots:
Field Training Officer Emp # [redacted]	Last Name [redacted]		First Name [redacted]	M.I.
Field Training Officer Emp # [redacted]	Last Name [redacted]		First Name [redacted]	M.I.

E 2

Employee # [redacted]	Last Name: Sykes,		First Name: Frederick	M.I.
Sex: M Race: W	Rank: DSG	Unit Assignment: Walnut Station	Work Assignment (Unit #, Module, etc.): 292	
ShiftTime (*circle only one*): ☐ EM ☑ PM ☐ Day	ShiftType (*circle only one*): ☑ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:	
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #	Interviewed? ☑
Hrs of sleep prior to shooting: 6	Duty Ti[redacted]	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☑ Uniform w/ Vest	Other Factors:	
Age: [redacted]	Height: 600 Weight: 200			
Range Qualification Date: [redacted]		PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted]	Number of Prior Shootings: [redacted] · Directed Force: [redacted]
Weapons Fired Brand: Beretta	Caliber: 9	# Shots: 6	Weapons Fired Brand:	Caliber: · # Shots:
Field Training Officer Emp # [redacted]	Last Name [redacted]		First Name [redacted]	M.I.
Field Training Officer Emp # [redacted]	Last Name [redacted]		First Name [redacted]	M.I.

E 3

Employee # [redacted]	Last Name: Esparza,		First Name: Jerry	M.I.
Sex: M Race: H	Rank: DSG	Unit Assignment: Walnut Station	Work Assignment (Unit #, Module, etc.): 292K4	
ShiftTime (*circle only one*): ☐ EM ☑ PM ☐ Day	ShiftType (*circle only one*): ☑ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:	
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #	Interviewed? ☑
Hrs of sleep prior to shooting: 5	Duty Ti[redacted]	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☑ Uniform no Vest ☐ Uniform w/ Vest	Other Factors:	
Age: [redacted]	Height: 602 Weight: 220			
Range Qualification Date: [redacted]		PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted]	Number of Prior Shootings: [redacted] · Directed Force: [redacted]
Weapons Fired Brand: Beretta	Caliber: 9	# Shots: 9	Weapons Fired Brand:	Caliber: · # Shots:
Field Training Officer Emp # [redacted]	Last Name [redacted]		First Name [redacted]	M.I.
Field Training Officer Emp # [redacted]	Last Name [redacted]		First Name [redacted]	M.I.

See Other Side

Officer Involved Shooting
Involved Employee Information

URN: 014-00943-2910-013

Involved Employee

E 4

Employee # [redacted] | Last Name: De Leon, | First Name: Nicholas | M.I.:

Sex: M | Race: H | Rank: DSG | Unit Assignment: Walnut Station | Work Assignment (Unit #, Module, etc.): 292K5

ShiftTime (*circle only one*): [ ] EM [x] PM [ ] Day | ShiftType (*circle only one*): [x] Regular [ ] Overtime [ ] Off Duty | Intoxication/Drug Usage? [ ] | Substance Used:

Hospital Admission? [ ] | Hospital Name: | Coroner Case? [ ] | Coroner Case #: | Interviewed? [x]

Hrs of sleep prior to shooting: 6 | Duty Time (hrs): [redacted] | Clothing (*circle only one*): [ ] Plain Clothes no Vest [ ] Raid Jacket w/ Vest [ ] Plain Clothes w/ Vest [ ] Uniform no Vest [ ] Raid Jacket no Vest [x] Uniform w/ Vest | Other Factors:

Age: [redacted] | Height: 508 | Weight: 205

Range Qualification Date: [redacted] | PPC Qualification Date: [redacted] | Laser Training Date: [redacted]

Certified with Weapon Used? [redacted] | Patrol Certification? [redacted] | Certification Unit: [redacted] | Prior Shootings? [redacted] | Number of Prior Shootings: [redacted] | Directed Force: [redacted]

Weapons Fired Brand: Beretta | Caliber: 9 | # Shots: 8 | Weapons Fired Brand: | Caliber: | # Shots:

Field Training Officer Emp # [redacted] | Last Name: [redacted] | First Name: [redacted] | M.I.:

Field Training Officer Emp # [redacted] | Last Name: [redacted] | First Name: [redacted] | M.I.:

E 5

Employee # [redacted] | Last Name: Mrad, | First Name: Luis | M.I.:

Sex: M | Race: H | Rank: DSG | Unit Assignment: Walnut Station | Work Assignment (Unit #, Module, etc.): 293F

ShiftTime (*circle only one*): [ ] EM [x] PM [ ] Day | ShiftType (*circle only one*): [x] Regular [ ] Overtime [ ] Off Duty | Intoxication/Drug Usage? [ ] | Substance Used:

Hospital Admission? [ ] | Hospital Name: | Coroner Case? [ ] | Coroner Case #: | Interviewed? [x]

Hrs of sleep prior to shooting: 5 | Duty Time (hrs): [redacted] | Clothing (*circle only one*): [ ] Plain Clothes no Vest [ ] Raid Jacket w/ Vest [ ] Plain Clothes w/ Vest [ ] Uniform no Vest [ ] Raid Jacket no Vest [x] Uniform w/ Vest | Other Factors:

Age: [redacted] | Height: 509 | Weight: 184

Range Qualification Date: [redacted] | PPC Qualification Date: [redacted] | Laser Training Date: [redacted]

Certified with Weapon Used? [redacted] | Patrol Certification? [redacted] | Certification Unit: [redacted] | Prior Shootings? [redacted] | Number of Prior Shootings: [redacted] | Directed Force: [redacted]

Weapons Fired Brand: SW M&P | Caliber: 9 | # Shots: 5 | Weapons Fired Brand: | Caliber: | # Shots:

Field Training Officer Emp # [redacted] | Last Name: [redacted] | First Name: [redacted] | M.I.:

Field Training Officer Emp # | Last Name: | First Name: | M.I.:

E

Employee # | Last Name: | First Name: | M.I.:

Sex: | Race: | Rank: | Unit Assignment: | Work Assignment (Unit #, Module, etc.):

ShiftTime (*circle only one*): [ ] EM [ ] PM [ ] Day | ShiftType (*circle only one*): [ ] Regular [ ] Overtime [ ] Off Duty | Intoxication/Drug Usage? [ ] | Substance Used:

Hospital Admission? [ ] | Hospital Name: | Coroner Case? [ ] | Coroner Case #: | Interviewed? [ ]

Hrs of sleep prior to shooting: | Duty Time (hrs): | Clothing (*circle only one*): [ ] Plain Clothes no Vest [ ] Raid Jacket w/ Vest [ ] Plain Clothes w/ Vest [ ] Uniform no Vest [ ] Raid Jacket no Vest [ ] Uniform w/ Vest | Other Factors:

Age: | Height: | Weight:

Range Qualification Date: | PPC Qualification Date: | Laser Training Date:

Certified with Weapon Used? [ ] | Patrol Certification? [ ] | Certification Unit: | Prior Shootings? [ ] | Number of Prior Shootings: | Directed Force: [ ]

Weapons Fired Brand: | Caliber: | # Shots: | Weapons Fired Brand: | Caliber: | # Shots:

Field Training Officer Emp # | Last Name: | First Name: | M.I.:

Field Training Officer Emp # | Last Name: | First Name: | M.I.:

See Other Side

Officer Involved Shooting
Suspect Information

URN: 014-00943-2910-013

Suspect Information

S 1

Last Name: Mendez,		First Name: Javier	M.I.
AKA Last Name		First Name	M.I.
Sex: M Race: H	Street Address: [redacted]	City: [redacted]	State & Zip Code: [redacted]
Work Phone: N/A	Home Phone: N/A	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 35 D.O.B. 03/23/78	Height: 507 Weight: 169	FBI #: [redacted]	CII #: [redacted]
Booking # N/A	Primary Charge: 212.5 (a)PC-Robbery (Home Invasion)	Secondary Charge: 2800.1VC-Flight from Pursuing Police Officer	
Coroner Case? ☑	Coroner Case # 2014-01225	Intoxication/Drug Usage? ☑	Substance Used: Cocaine/Methamphetamine
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make: Plymouth		Model: Neon	Year: 2001

S

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

SHOOTING/FORCE REVIEW SUMMARY

INCIDENT:	**On-Duty Hit Shooting/ Use of Force Category 3 (Suspect Deceased)**
IAB FILE NUMBER(S):	**SH2351000/FO2379073**
URN#:	**014-00943-2910-013**
DATE /TIME:	**Thursday, February 13, 2014, 1657 hours**
LOCATION:	[redacted] **Elberland Street, West Covina (Unincorporated)**
INVOLVED PERSONEL:	**Deputy Samuel Orozco #**[redacted]
	Deputy Frederick Sykes #[redacted]
	Deputy Jerry Esparza #[redacted]
	Deputy Nicholas De Leon #[redacted]
	Deputy Luis Mrad #[redacted]
	Deputy [redacted] **#**[redacted]
SUSPECT:	**Javier Mendez MH/35 (Deceased)**

Opening Statement

On Thursday, February 13, 2014, Internal Affairs Investigators Sergeants Catrina Khasaempanth, Jeff Smith and Lieutenant Dominic Valencia responded to [redacted] Elberland Street, West Covina (Unincorporated Area) regarding an on-duty Deputy Involved Hit Shooting.

Synopsis

On Thursday, February 13, 2014, at approximately 1657 hours, Walnut Sheriff's Station, received a 9-1-1 call from Witness [redacted] who reported a home invasion robbery was occurring in his residence at [redacted] Witness [redacted] reported a man (Suspect Mendez) was inside his home demanding money from

his [redacted] (Witness [redacted]. Additionally, he heard Suspect Mendez say he had a gun with him. Shortly thereafter, Witness [redacted] heard what sounded as a fight and his [redacted] screaming. Witness [redacted] told the 9-1-1 operator he saw a black vehicle parked in front of his house.

Walnut Station, who was on self-dispatch at the time, broadcasted the home invasion robbery in progress call (Tag-154) and provided the information Witness [redacted] had given them.

As responding Deputies Stevin Fiedler # [redacted] (291K2), Denny Tseng # [redacted] (291K3), and David Chi # [redacted] (291B) arrived on Three Oaks Lane, the suspect vehicle was seen fleeing the location westbound. Inside the vehicle were also a female (Witness [redacted] front passenger and her five year old [redacted] who was in the backseat. Suspect Mendez drove at a high rate of speed nearly colliding with deputies on Three Oaks Lane. Deputies Fiedler, Tseng, and Chi, made a U-turn and a vehicle pursuit commenced with Deputy Fiedler as the lead unit.

Suspect Mendez continued driving westbound on Three Oaks Lane to southbound Lemon Avenue, at which point the field sergeant, Sergeant Christina Baker, joined the vehicle pursuit. The vehicle pursuit continued westbound on La Puente Road and reached speeds of up to seventy miles per hour. Additionally, at times during the pursuit Suspect Mendez drove in opposing traffic lanes and failed to stop for red lights. Refer to reports **(Exhibit A,** pages 1-27**)** completed by Deputies Fiedler, Tseng, and Chi for further.

As the pursuit continued westbound on La Puente Road approaching Nogales Street, Air 29 arrived on scene and took control of radio transmissions. Suspect Mendez drove into the southeast parking lot of La Puente Road and Nogales Street where he stopped and exited his vehicle in front of the Bestway Supermarket. Suspect Mendez's vehicle continued to move forward where it collided with a Bestway Supermarket delivery truck which was parked in front of the store. Both Witness [redacted] and her [redacted] remained inside the vehicle and were subsequently detained.

> **IAB Note:** The vehicle pursuit lasted approximately two minutes and thirty-two seconds travelling approximately 2.9 miles. Refer to Pursuit Evaluation form completed by Walnut Station Watch Commander Lieutenant John Saleeby.

Suspect Mendez ran into the Bestway Supermarket and exited out the back where he jumped over a wall into the backyard of [redacted] He continued eastbound on Northam Street jumping over multiple other walls and running through a total of nine residential backyards before heading north and entering six different residential backyards on Abelian Avenue. Suspect Mendez continued east through residential backyards on Elberland Street.

During the time Suspect Mendez was running through the backyards on Northam Street, Abelian Avenue and Elberland Street responding Deputies Samuel Orozco, Frederick Sykes, Jerry Esparza, Nicholas De Leon, Luis Mrad, [redacted] Yvonne Shannon and Sergeants Angela Becerra and Erick Kim arrived on scene paralleling Suspect Mendez's movements from the street and sidewalk area.

When Suspect Mendez reached [redacted] he ran inside the residence. One of the residents (Witness [redacted]) ran to the front yard and alerted the deputies nearby that Suspect Mendez was at her house. Deputies Orozco, Sykes, Esparza, De Leon, Mrad, Shannon, and Sergeant Becerra went to the residence in an effort to locate Suspect Mendez. Some searched the interior of the home and others searched the backyard. Sergeant Kim remained in front of the residence. Suspect Mendez eluded personnel, exited the home, and continued to run westbound through the backyard, jumping the west wall into the backyard of [redacted]

Deputy [redacted] who was holding a containment position in the front yard of [redacted] near the wall which separates [redacted] and [redacted] saw Suspect Mendez jump the wall. She proceeded into the backyard of [redacted] and ordered Suspect Mendez to stop or she would shoot him. Suspect Mendez continued westbound through the yard pausing at the west wall. Deputy [redacted] retrieved her taser, and as she was about to tase Suspect Mendez, he jumped over the west wall into the backyard of [redacted] Elberland Street.

Deputy [redacted] ran to the wall, looked over, saw Suspect Mendez, and warned him she would tase him. Suspect Mendez looked at Deputy [redacted] then turned away from her while reaching into his waistband area. Deputy [redacted] fired her taser, striking Suspect Mendez in the back. Suspect Mendez fell, face forward onto the grass with his hands tucked underneath. Deputy [redacted] kept the taser activated for approximately twenty seconds.

In the interim, Deputies Orozco, Sykes, Esparza, De Leon, Mrad, Shannon, and Sergeant Becerra had run to [redacted] Elberland Street and made their way into the backyard. They were unaware Suspect Mendez had been tased. As Suspect Mendez lay on the ground with his hands tucked under his body the deputies ordered Suspect Mendez, at gunpoint, to show his hands. Suspect Mendez, while looking at the deputies, ignored those orders and instead made movements with his left hand and body which led deputies to believe he was retrieving a gun. Deputies Orozco, Sykes, Esparza, De Leon, and Mrad fired their weapons at Suspect Mendez.

When the gun fire stopped, Deputy Orozco advised over the radio a deputy involved shooting had occurred. Deputies Orozco, Sykes and Sergeant Becerra approached Suspect Mendez and secured him. As deputies were securing Suspect Mendez, they saw taser prongs in Suspect Mendez's back. It was at that point they realized he had been tased.

Suspect Mendez sustained multiple gunshot wounds to the upper torso. He was pronounced dead at the scene.

Thirty-one expended 9mm shell casings were recovered.

No deputies were injured.

District Attorney's Letter of Opinion

On July 16, 2014, the Justice System Integrity Division (JSID) of the Los Angeles County District Attorney's office issued a letter of opinion regarding the shooting. It was the conclusion of JSID that Deputies Samuel Orozco, Frederick Sykes, Jerry Esparza, Nicholas De Leon, and Luis Mrad acted in lawful self-defense and defense of others. Their conclusion is contained in the letter submitted with this case under **Miscellaneous Documents** section.

Involved Personnel

Deputy Samuel Orozco #[redacted]
Walnut Station

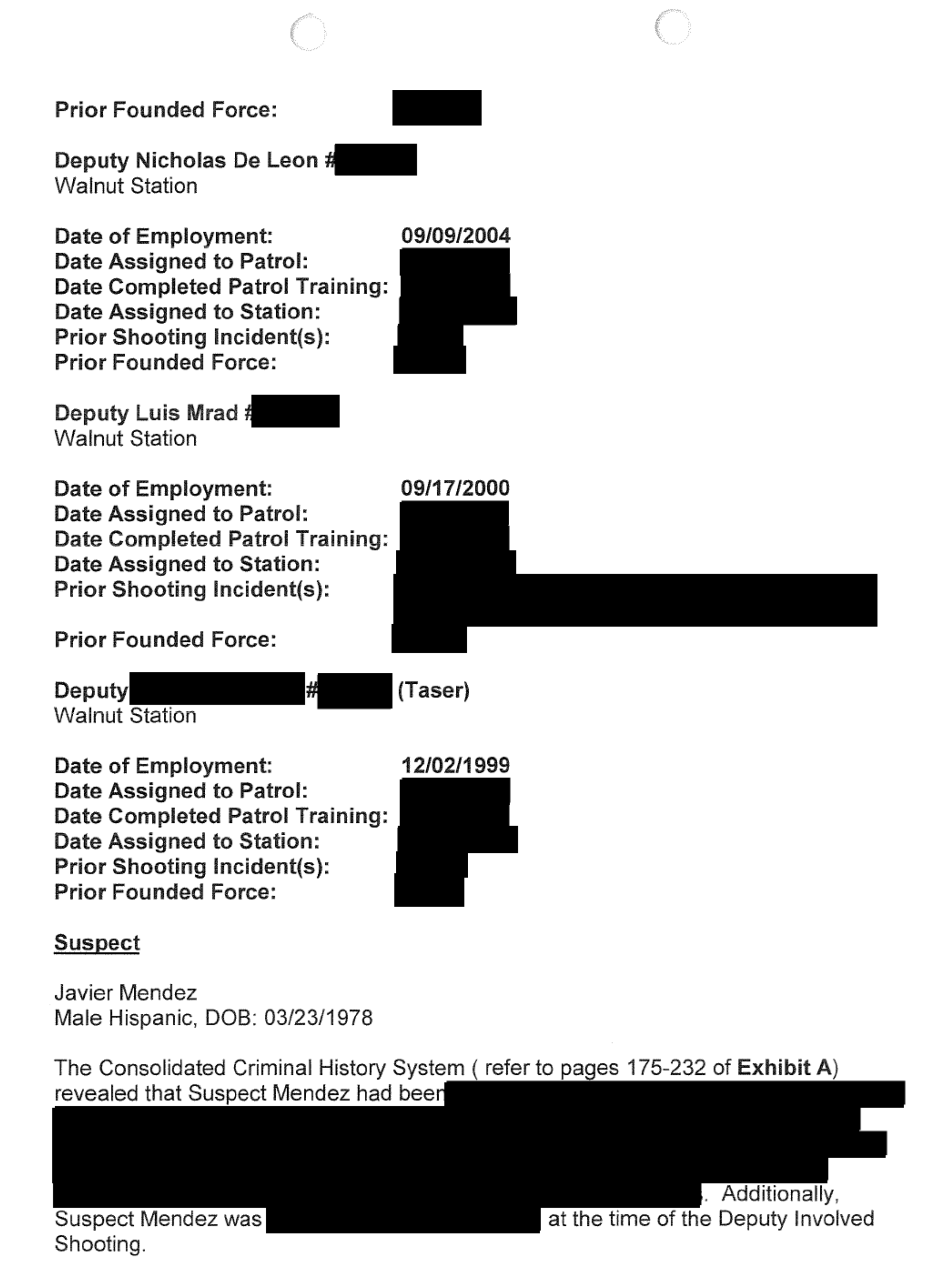
Date of Employment: 09/17/2000
Date Assigned to Patrol: [redacted]
Date Completed Patrol Training:
Date Assigned to Station:
Prior Shooting Incident(s): SH2236597 (01/24/2009)
Prior Founded Force: [redacted]

Deputy Frederick Sykes #[redacted]
Walnut Station

Date of Employment: 01/08/2007
Date Assigned to Patrol: [redacted]
Date Completed Patrol Training:
Date Assigned to Station:
Prior Shooting Incident(s):
Prior Founded Force:

Deputy Jerry Esparza #[redacted]
Walnut Station

Date of Employment: 12/02/1999
Date Assigned to Patrol: [redacted]
Date Completed Patrol Training:
Date Assigned to Station:
Prior Shooting Incident(s):



Prior Founded Force: [redacted]

Deputy Nicholas De Leon #[redacted]
Walnut Station

Date of Employment: **09/09/2004**
Date Assigned to Patrol: [redacted]
Date Completed Patrol Training:
Date Assigned to Station:
Prior Shooting Incident(s):
Prior Founded Force:

Deputy Luis Mrad #[redacted]
Walnut Station

Date of Employment: **09/17/2000**
Date Assigned to Patrol: [redacted]
Date Completed Patrol Training:
Date Assigned to Station:
Prior Shooting Incident(s):

Prior Founded Force:

Deputy [redacted] **#**[redacted] **(Taser)**
Walnut Station

Date of Employment: **12/02/1999**
Date Assigned to Patrol: [redacted]
Date Completed Patrol Training:
Date Assigned to Station:
Prior Shooting Incident(s):
Prior Founded Force:

<u>Suspect</u>

Javier Mendez
Male Hispanic, DOB: 03/23/1978

The Consolidated Criminal History System (refer to pages 175-232 of **Exhibit A**) revealed that Suspect Mendez had been [redacted]. Additionally, Suspect Mendez was [redacted] at the time of the Deputy Involved Shooting.

On February 5, 2014, Suspect Mendez was listed as the suspect in an Assault with a Deadly Weapon (Vehicle) on a Peace Officer report (refer to pages 233-236 of **Exhibit A**). The victim was a Walnut/Diamond Bar Station deputy who was on duty at the time and working patrol in a marked vehicle.

<u>Employee Witnesses</u>

Sergeant Erick Kim #[redacted]
East Patrol Division
Walnut Station

Deputy Yvonne Shannon #[redacted]
East Patrol Division
Walnut Station

Sergeant Angela Becerra #[redacted]
East Patrol Division
Walnut Station

Sergeant Christina Baker #[redacted]
East Patrol Division
Walnut Station

Deputy Russell Helbing #[redacted]
Homeland Security Division
Aero Bureau

Deputy Richard Thomsen #[redacted]
Homeland Security Division
Aero Bureau

<u>Non-Employee Witnesses</u>



[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

Injuries

No deputies were injured during this incident.

Suspect Mendez sustained twenty two gunshot wounds predominately to the left side of his body between his shoulder and thigh (refer to pages 129-136 of **Exhibit A** for further). Additionally, Suspect Mendez had abrasions and contusions to his face, chest, abdomen, and upper extremities.

Physical Evidence

Scientific Services Bureau personnel collected several items of evidence and provided sketches of the scene (refer to **Exhibit A**, Homicide Investigation Book pages 109-128).

REVIEW OF RADIO BROADCAST:

Homicide Bureau provided Internal Affairs Bureau with recordings from Dispatch 6 and of the 911 call for service. At the time of this incident Walnut Station was on self-dispatch. The recordings were reviewed by Internal Affairs Bureau Sergeant Catrina Khasaempanth. A disc containing the radio broadcasts and 911 call for service are included in this case (**Exhibit B**).

The audio recordings of Dispatch 6 were broken up into four separate files. The following is a partial summary of those recordings:

The first recorded file is 205 kilobyte's in length. The recording lasts approximately two minutes and eight seconds. The recording consists primarily of the initial call for service broadcast and the coordination of responding units.

At approximately one minute and forty-five seconds the field sergeant advised she was rolling Code 3 (emergency lights and sirens) to the call.

The second recorded file is 1288 kilobyte's in length. The recording lasts approximately thirteen minutes and thirty-one seconds. The recording consists primarily of the vehicle

pursuit, Suspect Mendez's actions while evading deputies on foot, and the coordination of ground units by Air 29.

At approximately two minutes into the recording the first unit advised they arrived at the location and were staging at the corner of Lemon Avenue and Three Oaks Lane awaiting additional units.

At approximately two minutes and forty seconds the Walnut Station Captain advised he was rolling to the call.

At approximately three minutes and thirty five seconds a unit advised the suspect vehicle was travelling towards Lemon Avenue.

At approximately three minutes and forty-nine seconds a unit advised they were in vehicle pursuit.

At approximately four minutes and twenty-five seconds the field sergeant advised they were involved in the vehicle pursuit.

At approximately six minutes and six seconds Air 29 advised they were overhead and took over radio communication.

At approximately six minutes and twenty-one seconds Air 29 advised Suspect Mendez exited his vehicle and was running through backyards.

The remainder of the recording consisted of Air 29 advising of Suspect Mendez's location and the coordination of ground units. At approximately thirteen minutes and two seconds Air 29 advised Suspect Mendez was in a backyard where deputies were going up the side of the house.

The third recorded file is 24 kilobyte's in length. The recording is approximately fourteen seconds long and consists of Air 29 advising Suspect Mendez was in a backyard under an awning.

The fourth recorded file is 581 kilobyte's in length. The recording lasts approximately six minutes and six seconds. The recording consists primarily of the time when Suspect Mendez was at [redacted] and [redacted] Elberland Street.

The recording starts with Air 29 advising deputies to check around the back of a house under a patio cover [redacted]. Air 29 uses a reference of patrol car rooftop 799 to let deputies know which house Suspect Mendez was at.

At approximately thirty five seconds Air 29 advised Suspect Mendez was in the front yard of the residence [redacted] and went inside the house. Air 29 advised deputies in front of the house to hold their position. Air 29 warned deputies in the back to watch their crossfire if they make entry into the residence. Air 29 also

advised deputies to make sure some remained in backyard to maintain the rear containment.

At approximately one minute and five seconds Air 29 advised Suspect Mendez was on the east side of the house and went westbound over a wall where he continued westbound to another west wall.

At approximately one minute and thirty eight seconds Air 29 advised Suspect Mendez was in a backyard ([redacted] Elberland Street) and it looked as though deputies were going to be making contact with him. Air 29 advised it was Code 4 Adam (sufficient units on scene) in the backyard.

At approximately one minute and fifty-eight seconds a ground deputy advised of deputy involved shooting.

The duration of the vehicle pursuit lasted approximately two minutes and thirty-two seconds.

Approximately nine minutes and six seconds had passed from the time the vehicle pursuit ended and a deputy involved shooting had occurred.

Investigators Observations

The scene is described in detail by Homicide Investigators, Detectives Ralph Hernandez #[redacted] and Gary Sloan #[redacted]. Refer to pages 76-82 of Homicide Investigation Book (**Exhibit A).** The scene was also photographed by Scientific Services. Refer to the compact disc and thumb nail photos under **Exhibit B**.

Weapons used by Deputies

Deputy Samuel Orozco:

Service Weapon Type:	Smith and Wesson M&P 9mm Serial Number HAT[redacted]
Rounds Fired:	5
Type of Ammunition Used:	9mm Luger caliber
Date Employee Last Qualified:	[redacted]

An examination of Deputy Orozco's firearm indicated 12 live rounds were in the magazine and an additional one live round was loaded in the chamber (refer to page 52 of **Exhibit A**).

Deputy Orozco's firearm was examined by Scientific Services Firearms Identification Unit and found to be functional (refer to page 104 of **Exhibit A**).

Deputy Frederick Sykes:

Service Weapon Type:	Beretta 92FS

	Serial Number BER[redacted]
Rounds Fired:	6
Type of Ammunition Used:	9mm Luger caliber
Date Employee Last Qualified:	[redacted]

An examination of Deputy Sykes' firearm indicated 9 live rounds were in the magazine and an additional one live round was loaded in the chamber (refer to page 54 of **Exhibit A**).

Deputy Sykes' firearm was examined by Scientific Services Firearms Identification Unit and found to be functional (refer to page 104 of **Exhibit A**).

Deputy Jerry Esparza:

Service Weapon Type:	Beretta 92FS Serial Number BER[redacted]
Rounds Fired:	9
Type of Ammunition Used:	9mm Luger caliber
Date Employee Last Qualified:	[redacted]

An examination of Deputy Esparza's firearm indicated 6 live rounds were in the magazine and an additional one live round was loaded in the chamber (refer to page 57 of **Exhibit A**).

Deputy Esparza's firearm was examined by Scientific Services Firearms Identification Unit and found to be functional (refer to page 104 of **Exhibit A**).

Deputy Nicholas De Leon:

Service Weapon Type:	Beretta 92FS Serial Number BER[redacted]
Rounds Fired:	8
Type of Ammunition Used:	9mm Luger caliber
Date Employee Last Qualified:	[redacted]

An examination of Deputy De Leon's firearm indicated 7 live rounds were in the magazine and an additional one live round was loaded in the chamber (refer to page 59 of **Exhibit A**).

Deputy De Leon's firearm was examined by Scientific Services Firearms Identification Unit and found to be functional (refer to page 104 of **Exhibit A**).

Deputy Luis Mrad:

Service Weapon Type:	Smith and Wesson M&P 9mm Serial Number HAR[redacted]
Rounds Fired:	5
Type of Ammunition Used:	9mm Luger caliber
Date Employee Last Qualified:	[redacted]

An examination of Deputy Mrad's firearm indicated 12 live rounds were in the magazine and an additional one live round was loaded in the chamber (refer to page 54 of **Exhibit A**).

Deputy Mrad's firearm was examined by Scientific Services Firearms Identification Unit and found to be functional (refer to page 104 of **Exhibit A**).

Weapon used by Suspect

It was reported by Witness [redacted] that Suspect Mendez had said he had a gun with him at the time of the home invasion robbery and simulated having a gun in his pocket. A weapon was never seen in Suspect Mendez's possession.

Property Damage

[redacted] Elberland Street (location of Deputy Involved Shooting): Apparent bullet strikes to rear retaining wall and garden lamp north of Suspect Mendez.

[redacted] (residence where Suspect Mendez forced entry): Northeast exterior door had indentation on middle portion of exterior side. Damage was consistent with someone kicking the door in. The interior locking mechanism was found on the ground.

Southeast corner of La Puente Road and Nogales Street (Termination of vehicle pursuit): Bestway Supermarket delivery truck, GMC CA License # [redacted], damage to left rear bumper. Plymouth Neon, black, CA license # [redacted], damage to right front quarter panel.

Criminal Investigators/Charges Filed

Investigators:	Detectives Karen Shonka # [redacted] and Wayne Holston # [redacted] assigned to Homicide Bureau.
Charges:	None Filed, Suspect Deceased

Lighting and Weather Conditions

The shooting occurred outside during daylight hours and the weather was clear.

Involved Employee Statements

The following narratives are intended only as a synopsis of the recorded interviews of the involved employee's statements to Internal Affairs Bureau Investigators. Additional information and precise wording may be obtained by reviewing the recorded interviews and transcriptions included with this case.

Deputy Samuel Orozco was interviewed on April 29, 2015, at the Internal Affairs Bureau Offices by Sergeants Catrina Khasaempanth and Brenda Gibson. Deputy Orozco was represented by Maureen Okwuosa of Green and Shinee Law Firm.

Deputy Orozco provided a statement and description of the incident during an interview with Homicide detectives. He also provided statements in a deposition on March 10, 2015. Refer to Deputy Orozco's Homicide interview transcripts and deposition transcripts for further.

Deputy Orozco said he was responding to the robbery in progress call for service in the Three Oaks community. At the time Walnut Station was on self-dispatch and using Dispatch 6 L-tac to transmit.

> **IAB Note:** Walnut Station and San Dimas Station share the same radio channel (Dispatch 6). When they are required to go on self-dispatch one station will utilize Dispatch 6 and the other will utilize L-tac for all radio transmissions.

At the point when Deputy Orozco and his [redacted], Deputy Sykes, arrived in the area of Nogales Street and La Puente Road, he heard radio traffic advising Suspect Mendez had crashed in the Bestway supermarket parking lot, ran inside the market and exited to the rear. Deputy Orozco directed Deputy Sykes (driver) to drive east on Northam Street where they stopped and exited their vehicle approximately midblock between Nogales Street and Abelian Avenue. Refer to photograph one of **Exhibit C** for the location where Deputy Orozco indicated his patrol car (SH1851) was stopped.

Approximately two houses to his [redacted] on the [redacted] side of the street Deputy Orozco saw a female run out of a house saying Suspect Mendez was in her backyard. Deputy Orozco saw four to five unknown deputies to his east and told them to contain the east side of the female's residence while he contained the west side. Air-29 then advised Suspect Mendez was continuing to run eastbound through backyards. While on foot, Deputy Orozco began to parallel Suspect Mendez's movements eastbound on Northam Street to northbound on Abelian Avenue. Suspect Mendez remained in the backyards and Deputy Orozco was in front of the houses. During that time he saw Suspect Mendez approximately four to five times as Suspect Mendez was jumping over backyard fences. Deputy Orozco was unable to determine if Suspect Mendez was armed or not.

When Deputy Orozco arrived near Abelian Avenue and Elberland Street he saw a female and a male exit [redacted] They advised Suspect Mendez was in their backyard and at the same time Air-29 advised they had lost sight of Suspect Mendez in a shed where a [redacted] was parked.

Deputy Orozco along with Deputy Sykes, Sergeant Becerra and 2-3 additional unknown deputies went to the residence at [redacted] in the hopes of containing Suspect Mendez in the backyard. Deputy Orozco went to the backyard but was unsure

Suspect Mendez in the backyard. Deputy Orozco went to the backyard but was unsure what path he took to get there. He said it was either through the opened garage door into the house or he entered the backyard via the west side of the house. He believed he was the second or third deputy in the line of deputies who went into the backyard and Deputy Sykes was following behind him. Deputy Orozco was unsure if he advised over the radio that he was making entry into the residence or backyard.

Deputy Orozco explained the reason they went to the rear of the yard rather than establish containment was because Air-29 had specifically told them they lost sight of Suspect Mendez in a shed or [redacted] in the yard. They were able to safely search the backyard and did not locate Suspect Mendez.

After completing the search of the backyard Air-29 advised Suspect Mendez had entered the house where they were also at. Deputy Orozco said he and Deputy Sykes stood at the rear sliding door to the house and held a containment position. When he looked inside the house he saw deputies entering the house from the garage. Those deputies walked through the house towards the backyard and exited the rear sliding door where he was standing.

Once those deputies exited the house Deputy Orozco entered the residence from the rear sliding door and searched inside for Suspect Mendez. He said Sergeant Becerra and Deputy Esparza were next to him but was unsure if any other deputies followed him inside the house. Although he had not seen any type of possible crossfire situation at the time, he verbally reminded personnel inside of the residence to be mindful of crossfire. Deputy Orozco said he had not broadcasted they were making entry into the residence but thought he heard someone else advise over the radio they were inside the residence.

Deputy Orozco said as they were searching the residence he heard over the radio, Suspect Mendez had run out the side door. Air 29 then advised Suspect Mendez had jumped a fence and was going westbound into another yard. Deputy Orozco ran out the front of the house through the garage door and proceeded westbound on Elberland Street. When he arrived at [redacted] Elberland Street he saw unknown deputy personnel opening the side gate and making entry into the backyard. He along with Deputy Sykes then followed those deputies into the backyard.

When Deputy Orozco arrived in the backyard he saw deputies lined up next to each other with their guns pointed at Suspect Mendez who was north of them. Deputy Orozco went and stood to the left of the deputies, pointing his gun at Suspect Mendez who was lying on his stomach with his hands under his waistband, approximately 20-50 feet away. Deputy Orozco said deputies were giving commands to Suspect Mendez and he also gave commands for Suspect Mendez to show his hands.

Deputy Orozco said he did not advise he was detaining Suspect Mendez at gunpoint because he thought he had heard someone already advise something to that effect over the radio.

Deputy Orozco said Suspect Mendez moved his head and it appeared as though Suspect Mendez was trying to say something to deputy personnel but he could not hear him due to the noise from Air 29. Although he could not hear Suspect Mendez he believed Suspect Mendez was taunting deputies. Suspect Mendez moved the top portion of his chest off the floor and moved his left hand. Deputy Orozco believed Suspect Mendez was going to retrieve a gun and shoot him or his partners. In order to stop Suspect Mendez, he fired his gun at him approximately 3-4 times.

> **IAB Note:** During Deputy Orozco's interview he indicated on a photograph marked as number 3 (**Exhibit C**) where he (indicated as "O") was positioned, where Deputy Sykes (indicated by "S") was and where Suspect Mendez (indicated by "S" over an "X") was at the time of the shooting.

Deputy Orozco said as he fired his weapon he could hear additional shots being fired and thought enough rounds had been fired so he yelled out for the deputies to cease fire.

Deputy Orozco told Homicide Investigators and made similar statements during his deposition that he was not the first one who fired his weapon. During his IAB interview he made it clear he had not fired his weapon because others were firing. He said at the time he fired his weapon it was almost simultaneous to the other shots he heard.

Deputy Orozco said at the moment when Suspect Mendez moved his left hand he was certain it was because he was trying to retrieve a gun and not because he was trying to show his hands as he had been commanded to do. Deputy Orozco explained his reasoning. He described how Suspect Mendez had been directed to put his hands out in front of him several times but he never complied. Additionally, the manner in which Suspect Mendez moved his arm did not appear to be consistent with the way someone would move if they were preparing to show their hands and surrender.

At the time of the shooting Deputy Orozco believed Deputy Sykes was standing to his right and there was no one standing to his left side. Deputy Orozco said there was no cover or concealment available at the time of the shooting and his backdrop at the time was a short planter wall followed by the north property line cinder block wall.

Deputy Frederick Sykes was interviewed on April 20, 2015, at the Internal Affairs Bureau Offices by Sergeants Catrina Khasaempanth and Brenda Gibson. Deputy Sykes was represented by Maureen Okwuosa of Green and Shinee Law Firm.

Deputy Sykes provided a statement and description of the incident during an interview with Homicide detectives. He also provided statements in a deposition on March 10, 2015. Refer to Deputy Sykes' Homicide interview transcripts and deposition transcripts for further.

The call stated the suspect was armed with a gun and the radio updates given stated the suspect was hitting the informant's [redacted] with the gun.

While responding to the call Deputy Sykes heard deputies in vehicle pursuit of Suspect Mendez. At the termination of the pursuit Suspect Mendez started jumping backyard fences in the residential area on Northam Street near Nogales Street. Deputy Sykes drove his patrol vehicle eastbound on Northam Street and stopped in the street approximately two houses east of Nogales Street. Air 29 advised Suspect Mendez was running eastbound through backyards on Northam Street. Deputy Sykes and Deputy Orozco exited the vehicle and ran east on Northam Street paralleling Suspect Mendez. They continued northbound on Abelian Avenue to Elberland Street. Deputy Sykes said at some point he saw Suspect Mendez jumping over a fence but he was unable to determine if Suspect Mendez was armed or not.

While on Elberland Street a female ran out of her house ([redacted] and said Suspect Mendez just ran through her backyard. Deputy Sykes and Deputy Orozco made entry into her house but he could not remember what their point of entry was. He said he did not advise over the radio they were making entry but believed he heard someone else advise. While at the house Air 29 announced Suspect Mendez had made entry into the same house, so Deputy Sykes along with Deputies Orozco and Esparza began to search the interior of the residence. Deputy Sykes said soon after they began their search Air 29 advised Suspect Mendez was now jumping fences in a westerly direction. Deputy Sykes said they left the house and ran west on Elberland Street.

Deputy Sykes said Air 29 directed them to [redacted] Elberland Street. Deputy Sykes along with Deputies Orozco and De Leon made entry into the backyard through the large wrought iron gate. His reason for entering the backyard was to contain the area should Suspect Mendez enter the yard.

Deputy Sykes said he was the second or third deputy through the gate. He immediately ran to his right (east) and was approximately eight feet north of the gate when he saw Suspect Mendez coming down off the east wall separating [redacted] and [redacted] Street. Deputy Sykes remembered Suspect Mendez landed on his feet on the ground and appeared to try to run. He slipped falling face forward onto the grass area in the backyard of [redacted] Elberland Street. He landed on the ground with his hands tucked under his waist and he was looking south at the deputies who were standing in a half moon shape. Deputy Sykes detained Suspect Mendez at gunpoint and ordered him to show his hands. Deputy Sykes explained he was unable to advise over the radio he was detaining at gun point because he was focused on Suspect Mendez's hands and the immediate threat they were presenting.

Suspect Mendez ignored commands to show his hands and instead just stared at the deputies. Deputy Sykes said approximately one minute later Suspect Mendez lifted his left shoulder slightly towards the deputies. Deputy Sykes believed Suspect Mendez

left shoulder slightly towards the deputies. Deputy Sykes believed Suspect Mendez was trying to retrieve a gun to shoot him or another deputy. In order to stop him, Deputy Sykes fired his gun approximately six times.

IAB Note: During his IAB interview Deputy Sykes indicated on a photograph (**Exhibit D**) where he was and where Suspect Mendez was at the time of the shooting.

Deputy Sykes said he did not hear any other gun shots other than the ones he fired. He said he had a clear line of sight on Suspect Mendez when he fired and it was daylight. He added there was no cover or concealment available at the time of the shooting. His backdrop was a concrete wall. He thought he was approximately 25 feet away when he fired.

Deputy Sykes said at the moment when Suspect Mendez moved his left shoulder he was certain it was because Suspect Mendez was preparing to shoot him or the other deputies and not because he was trying to show his hands as he had been commanded to do. Deputy Sykes explained how based on his experience, when suspects are being held at gunpoint and being ordered to do something they usually acknowledge they are hearing what is being said. In this instance, Suspect Mendez stared at the deputies and moved his eyes as though he was scanning the deputies in order to pick out a target.

Deputy Sykes said when the shooting ended he along with Deputy Orozco approached Suspect Mendez to secure him. It was at that point when he saw two taser prongs in Suspect Mendez's back. Prior to that moment he was unaware of a taser being used.

Deputy Jerry Esparza was interviewed on April, 20, 2015, at the Internal Affairs Bureau Offices by Sergeants Catrina Khasaempanth and Brenda Gibson. Deputy Esparza was represented by Maureen Okwuosa of Green and Shinee Law Firm.

Deputy Esparza provided a statement and description of the incident during an interview with Homicide detectives. He also provided statements in a deposition on March 10, 2015. Refer to Deputy Esparza's Homicide interview transcripts and deposition transcripts for further.

Deputy Esparza said he was responding to a robbery in progress call which stated the suspect (Suspect Mendez) was armed with a gun. Additional updated information advised Suspect Mendez was fighting with a victim in the downstairs portion of the residence. Suspect Mendez eventually led deputy personnel on a vehicle pursuit which ended at Nogales Street and La Puente Road. As Deputy Esparza was responding he heard radio traffic stating Suspect Mendez was on foot and jumping backyard fences. Deputy Esparza drove to the area where personnel advised Suspect Mendez was and parked his car (SH0764) on Northam Street just east of Nogales Street. Refer to photograph marked as one of **Exhibit E** for further.

Upon Deputy Esparza's arrival he saw Deputy Mrad in the same area. Deputy Esparza exited his patrol vehicle and paralleled Suspect Mendez, going east on Northam Street and north on Abelian Avenue to Elberland Street. Deputy Esparza remained in front of the houses, while Air 29 advised Suspect Mendez was in the backyards jumping fences. Deputy Esparza said at some point he was able to get a glimpse of Suspect Mendez jumping a fence but he was unable to determine if Suspect Mendez was armed or not.

Deputy Esparza explained how at the point when Air 29 advised Suspect Mendez was in a backyard on Elberland Street, a female ran out of the same residence [redacted] and said Suspect Mendez was in her backyard. Deputy Esparza said he along with Deputies De Leon, Orozco, Mrad, and Sykes, formulated a plan to make a tactical approach to the residence so they could search the backyard for Suspect Mendez. They proceeded to the backyard and Deputy Esparza thought they entered through the east side gate. Deputy Esparza said he did not advise over the radio they were entering the backyard and could not remember if he heard any such radio broadcast. He explained because of the station being on self-dispatch it caused deputies to transmit over each other. He added how usually SCC would take control of the radio traffic but when on self-dispatch SCC was not involved. Additionally, Air 29 was overhead and he felt they would dictate the incident.

Deputy Esparza explained the reason he chose to enter the backyard rather than establish a containment around the house was because of the types of crimes Suspect Mendez already committed. Deputy Esparza believed Suspect Mendez was desperate to escape capture and may take a hostage. Deputy Esparza wanted to stop him before that occurred.

As Deputy Esparza was in the backyard of [redacted] Air 29 advised Suspect Mendez had entered the home. Deputy Esparza said he verbally told the other deputies in the backyard he was going inside the residence. He along with Deputy Orozco and possibly 2-3 additional unknown deputies entered the residence to search for Suspect Mendez. Deputy Esparza said he had not announced over the radio he was making entry into the house. He explained the reason for entering the house rather than containing the residence was to prevent Suspect Mendez from taking a hostage and barricading himself.

While Deputy Esparza was searching the residence Air 29 advised Suspect Mendez was jumping fences in a westerly direction. Deputy Esparza ran out the front of the residence and continued west. Air 29 advised Suspect Mendez was in the backyard of the residence with a swimming pool which led Deputy Esparza to [redacted] Elberland Street.

Deputy Esparza entered the backyard of [redacted] Elberland Street via the large white metal side gate. Upon his arrival he saw Suspect Mendez on the ground lying on his stomach with both hands concealed under his waist. Deputy Esparza went to the east portion of the patio area where he stood next to the brick wall. He said Deputy De Leon was to his left (west) and there was no one to his right. He pointed his gun at Suspect

Mendez and gave him commands to show his hands. Deputy Esparza said he did not advise on the radio he was detaining at gunpoint but thought he heard someone else had.

Suspect Mendez ignored orders to show his hands and instead arched his back moving his waist area slightly off the ground. Suspect Mendez's left hand moved and Deputy Esparza believed he was attempting to retrieve a gun. In order to stop him Deputy Esparza fired what he believed were 5-6 rounds. He was approximately 15-20 feet from Suspect Mendez when he fired his gun.

> **IAB Note:** During his IAB interview Deputy Esparza indicated on a photograph marked as two (**Exhibit E**) where he (marked with an "E") was; where Deputy De Leon (marked with a "D") was; and where Suspect Mendez (marked with a circle) was at the time of the shooting.

Deputy Esparza explained the reason he fired 5-6 rounds was because he was in fear and was only thinking about stopping Suspect Mendez from retrieving a gun and harming him or the other deputies. When Deputy Esparza was told by IAB Investigators he actually fired nine rounds from his duty weapon he explained how at the time of the shooting he was not aware he had fired nine rounds and thought at the time of the shooting it was five to six. He said he had fired his rounds in succession and stopped firing once he saw Suspect Mendez stopped moving. Deputy Esparza said he did not hear any gunshots prior to or after he fired his weapon but he did hear additional gunshots as he was shooting.

Deputy Esparza said he had a clear line of sight on Suspect Mendez at the time of the shooting and his backdrop was a block wall. There was no cover or concealment available at the time of the shooting.

Deputy Esparza said at the moment when Suspect Mendez lifted his waist and moved his left hand he was certain it was because he was preparing to retrieve a gun and shoot him or the other deputies. He did not believe Suspect Mendez was trying to show his hands as he had been commanded to do. He reasoned how when he and the other deputies on scene ordered Suspect Mendez to show his hands he had not complied. It was only after deputies stopped yelling orders that Suspect Mendez moved.

Deputy Nicholas De Leon was interviewed on April 21, 2015, at the Internal Affairs Bureau Offices by Sergeants Catrina Khasaempanth and Brenda Gibson. Deputy De Leon was represented by Maureen Okwuosa of Green and Shinee Law Firm.

Deputy De Leon provided a statement and description of the incident during an interview with Homicide detectives. He also provided statements in a deposition on March 11, 2015. Refer to Deputy De Leon's Homicide interview transcripts and deposition transcripts for further.

Deputy De Leon said he was responding to a robbery in progress call for service. The information provided said the suspect was armed with a gun and fighting with a female victim at the location.

While enroute to the call, Deputy De Leon continuously monitored the radio updates. At the point when he heard Air 29 advise Suspect Mendez was jumping over fences in a residential neighborhood he drove to that neighborhood and parked his patrol vehicle (SD6548) between [redacted] and [redacted] Upon his arrival he saw Deputy [redacted]'s patrol vehicle (SD5538) parked in front of him.

> **IAB Note:** Deputy De Leon indicated on a photograph marked as one (**Exhibit F**) where he stopped his car (indicated with an "X") and where Deputy [redacted]s car (indicated with an "X" and an "M" underneath.

Deputy De Leon said he went to a house where Air 29 indicated Suspect Mendez was. Deputy De Leon ran through a wrought iron gate at the house and saw Suspect Mendez perched on the east wall of the residence. Suspect Mendez then jumped into the back yard of the next house to the right (east). Deputy De Leon was unable to recall the addresses of the residences he was referring to.

Soon thereafter, Air 29 advised Suspect Mendez was hiding in a backyard. Deputy De Leon, along with approximately 5-6 additional deputies, ran to the backyard Air 29 was referring to. They entered the backyard via a side gate. He could not remember who the deputies were but thought Deputy Esparza was one of them.

Deputy De Leon explained the purpose for running into the backyard ([redacted] was to apprehend Suspect Mendez. He believed Suspect Mendez was desperate to escape and Deputy De Leon was concerned for the family who may have been inside the residence. Deputy De Leon said everything was happening so fast and they did not have time to formulate any type of plan before going to the backyard. Deputy De Leon said he did not advise over the radio they were entering the backyard of the location nor did he hear anyone else.

While Deputy De Leon was in the backyard of [redacted] Air 29 advised Suspect Mendez had entered the residence. Deputy De Leon ran to the front of the home and stood at the east side front portion of the garage waiting for further updates from Air 29. He thought another deputy was with him but could not remember who. Air 29 then advised Suspect Mendez had exited the home and was jumping fences heading west.

Deputy De Leon ran to [redacted] Elberland Street and went into the backyard via the large wrought iron gate he previously mentioned. Once inside the backyard he saw Suspect Mendez perched on top of the east wall. Suspect Mendez jumped off the wall into the backyard of [redacted] Elberland Street landing on both of his feet. As he was jumping off the wall Deputy De Leon drew his weapon, pointed it at Suspect Mendez and ordered

him to "freeze", get down, and show his hands. Suspect Mendez then went chest down to the ground.

Deputy De Leon said he did not advise over the radio he was detaining at gunpoint because he was concentrating on Suspect Mendez and did not want to be distracted by something else. Additionally, he thought Air 29 would announce it for him since they had been broadcasting most of the information. Deputy De Leon was unsure if additional deputies were with him at the time but remembered additional deputies arriving shortly thereafter.

Deputy De Leon described how while Suspect Mendez was on the ground he looked at the deputies as though he was scanning them. He was concerned Suspect Mendez was trying to select a deputy to shoot. Additionally, Suspect Mendez continued to ignore orders to show his hands.

At some point Suspect Mendez arched his waist, lifting his pelvis and waist area off the ground. His knees were bent and he lifted the upper portion of his legs off the ground. Based on those movements, Deputy De Leon believed Suspect Mendez was trying to retrieve a gun from his waistband so he could shoot him or another deputy. In order to stop Suspect Mendez, Deputy De Leon fired his gun at Suspect Mendez approximately 5-6 times.

IAB Note: Deputy De Leon indicated on a photograph (**Exhibit F**) where he was (indicated by a "D") and where Suspect Mendez was at the time of the shooting.

Although Deputy De Leon had never seen Suspect Mendez in possession of a gun he believed he was armed based on the information in the original call for service.

Deputy De Leon said the reason he fired 5-6 rounds was because he was scared. When he was reminded by IAB investigators he had actually fired eight rounds he explained how at the time of the shooting he did not think he fired that many. He described how when he fired his gun, the shots were in succession. He said he did not pause between the shots due to the high level of fear he had at the time. Deputy De Leon said the reason he stopped firing was because he saw rounds penetrating Suspect Mendez's clothing.

Deputy De Leon said he had not heard any gun shots prior to or after he shot his gun. At the time when he fired his weapon he was unaware other deputies had also fired. He said he had a clear line of sight when he fired and there was no cover or concealment available at the time. His backdrop was the rear property block wall.

Deputy De Leon said at the moment Suspect Mendez made the aforementioned movements of arching his back and bending his legs he was certain Suspect Mendez was reaching for a gun and not preparing to show his hands as he had been

commanded. He further explained if Suspect Mendez wanted to show his hands he would have done so upon the initial orders given to him.

Deputy De Leon said when he saw Suspect Mendez jumping from the wall into 19101 Elberland Street he had not seen any other personnel near the wall.

Deputy Luis Mrad was interviewed on April, 20, 2015, at the Internal Affairs Bureau Offices by Sergeants Catrina Khasaempanth and Brenda Gibson. Deputy Mrad was represented by Maureen Okwuosa of Green and Shinee Law Firm.

Deputy Mrad provided a statement and description of the incident during an interview with Homicide detectives. He also provided statements in a deposition on March 11, 2015. Refer to Deputy Mrad's Homicide interview transcripts and deposition transcripts for further.

Deputy Mrad said he was working a one person marked patrol unit when he heard a robbery in progress call for service broadcasted over the radio at [redacted] Further radio broadcasts indicated the informant (Witness [redacted]) was calling from the upstairs of the residence and the informant could hear a male suspect downstairs. The call also indicated the informant heard the suspect (Suspect Mendez) say he had a gun and at some point a fight occurred inside the residence.

Deputy Mrad explained how at the time of the call Walnut Station was on self-dispatch and the radio transmissions were full of static, making it difficult to hear all of the transmissions being broadcasted. Additionally, depending on a deputy's location at the time of the transmissions it would sometimes prevent clear reception.

Deputy Mrad said he responded to the location in an attempt to assist with the call. Prior to his arrival he heard updated broadcasts indicating Suspect Mendez had left the location in a vehicle and was being pursued by deputy personnel. At some point Air 29 arrived overhead at Nogales Street and La Puente Road, taking over the radio transmissions.

At the point when Air 29 advised Suspect Mendez was jumping backyard fences behind the Bestway market, Deputy Mrad parked his patrol vehicle (SD5538) at the northeast corner of Nogales Street and Northam Street where it remained throughout this incident.

As Deputy Mrad exited his patrol vehicle, Deputy Esparza arrived on scene. Deputy Mrad said additional deputies were arriving but at that moment a containment of the area had not been established. Air 29 advised Suspect Mendez was jumping backyard fences in an easterly direction on the north side of Northam Street. Deputy Mrad along with Deputy Esparza ran eastbound on the north sidewalk and street area of Northam Street in front of the houses, paralleling Suspect Mendez. Deputy Mrad said as he continued to parallel Suspect Mendez northbound on Abelian Street to eastbound Elberland Street, he saw additional deputies running and paralleling Suspect Mendez.

Deputy Mrad said the reason he did not stop and remain at a containment position was because Suspect Mendez continued to jump fences and at one point doubled back. Deputy Mrad believed he along with fellow responding deputies needed to close in on Suspect Mendez and establish a smaller containment of two to three residential yards rather than a larger three block containment area. His reason for paralleling Suspect Mendez was to keep an eye on his whereabouts in order to establish a smaller perimeter containment. During the time he was paralleling Suspect Mendez he saw him very briefly at one point jumping over an unknown backyard fence. Deputy Mrad said he could only see Suspect Mendez's legs going over a fence and was unable to determine if he was armed or not.

At the point when Air 29 advised Suspect Mendez had entered a residence, Deputy Mrad was standing close to the front of [redacted] with three additional deputies. Deputy Mrad could not remember who those deputies were and was unsure if Air 29 gave an actual address indicating which house Suspect Mendez had went inside. Deputy Mrad said he knew the correct house was [redacted] because at the same time Air 29 made the announcement, a female (Witness [redacted]) came running from the front yard of [redacted] and pointed at the home.

Deputy Mrad said he, along with the three deputies, walked towards the home and saw the garage door was open. He intended to establish a containment around the home but as he was approaching the driveway Air 29 advised Suspect Mendez had exited the house and was jumping walls in a westerly direction.

Deputy Mrad proceeded westbound on the north sidewalk area towards [redacted] Elberland Street. As he was walking up the driveway of [redacted] Elberland Street towards the wrought iron gate with an iron mesh screen, Deputy Mrad looked through the mesh screen and saw Suspect Mendez going over the wall from [redacted] into [redacted] Elberland Street. Deputy Mrad said Suspect Mendez jumped the wall near the northern portion of the wall but he could not see where Suspect Mendez landed.

Deputy Mrad said after another deputy opened the wrought iron gate he proceeded straight through the gate to the backyard of [redacted] Elberland Street. Deputy Mrad believed he was the second deputy through the gate. He explained the reason for entering the backyard was because he was concerned for the safety of the residents and he wanted to contain Suspect Mendez. Deputy Mrad explained he did not have a chance to formulate a plan with assisting deputies prior to making entry into the backyard nor was there time to advise over the radio he was making entry into the backyard. He said everything was happening so fast and he remembered Aero Bureau was constantly on the radio.

Once in the backyard, Deputy Mrad detained Suspect Mendez at gunpoint. He saw Suspect Mendez lying on his stomach with both his hands tucked underneath him near the waistband area. He could see the left side of Suspect Mendez and saw his face was turned towards Deputy Mrad. After Suspect Mendez ignored several commands to show his hands, he shrugged his shoulders in an upward motion. At that point Deputy

Mrad believed Suspect Mendez was trying to retrieve a weapon from his waistband in order to shoot him (Deputy Mrad). In an effort to stop Suspect Mendez, Deputy Mrad fired four to five rounds at Suspect Mendez. Deputy Mrad said he had a clear view of Suspect Mendez at the time he fired and his backdrop was a block wall. There was no cross fire situation present at the time.

IAB Note: Deputy Mrad indicated where he was and where Suspect Mendez was at the time of the shooting. Refer to photograph marked as two under **Exhibit G** (Circle indicates Mrad's position; "X" with an "O" under it indicates Deputy Orozco; and "S" for Suspect Mendez).

Deputy Mrad said at the moment when Suspect Mendez shrugged his shoulders he was certain it was because he was preparing to retrieve a gun and not preparing to show his hands as he had been ordered to do. He explained due to the manner in which Suspect Mendez moved along with the way he was looking at the deputies it appeared as though he was trying to determine which deputy he would shoot first.

Deputy Mrad explained the reason he stopped firing was because he saw blood coming from underneath Suspect Mendez and knew he was no longer a threat.

Deputy Mrad said at the conclusion of the shooting Deputy Orozco approached Suspect Mendez to handcuff him and Deputy Mrad advised him to use caution since Suspect Mendez's hands were still tucked underneath.

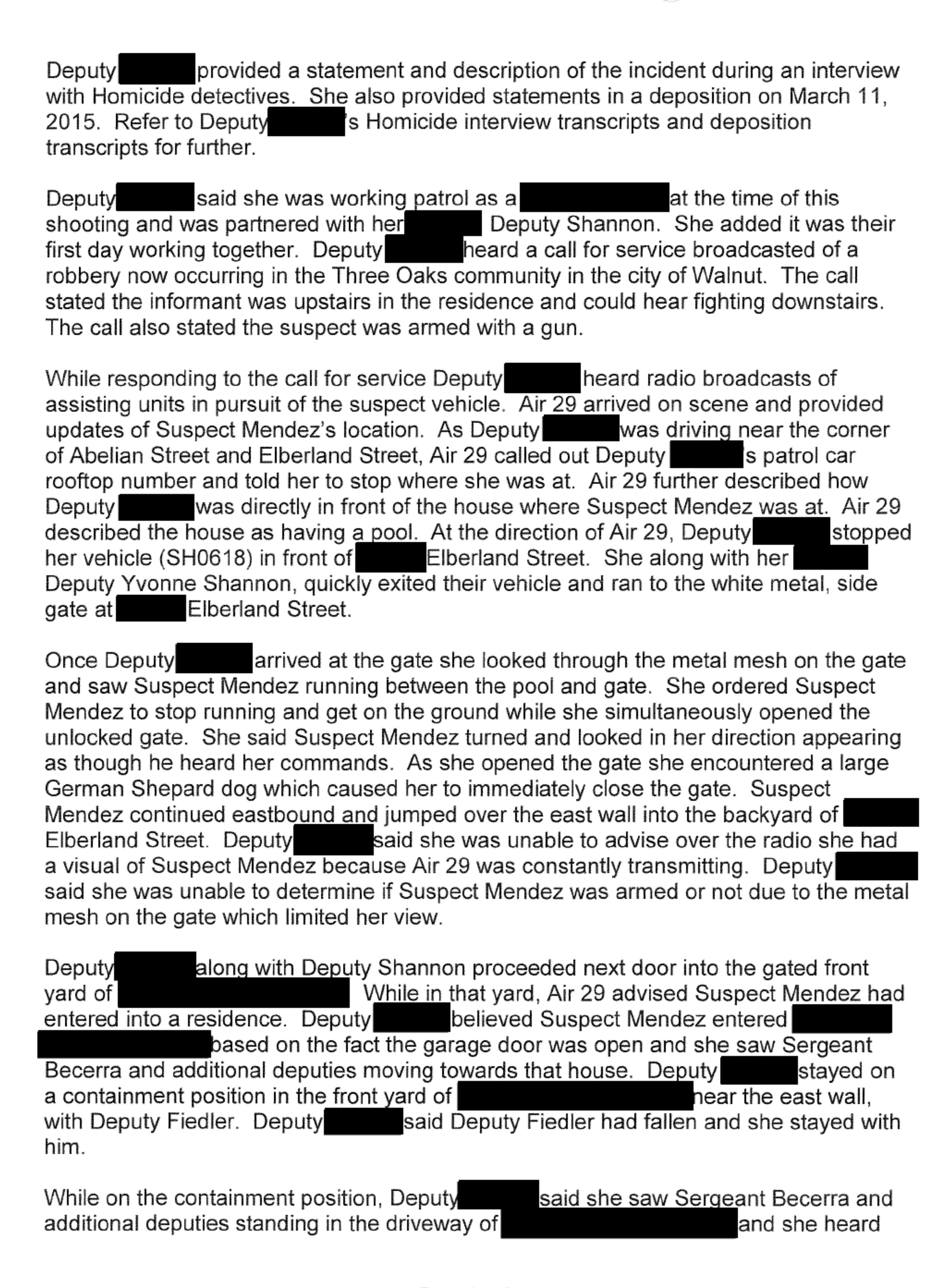
Deputy Mrad said the reason he did not advise he was detaining Suspect Mendez at gunpoint was because he did not have time. He said at the moment he walked through the gate he was concerned with Suspect Mendez's hands being concealed and gave commands for Suspect Mendez to show his hands. Additionally, he thought he heard Aero Bureau advise on the radio something to the effect of deputies being in the yard and detaining Suspect Mendez.

Deputy Mrad said he did not hear any gunshots prior to firing his weapon but did hear a gunshot to his right after he stopped firing.

Deputy Mrad did not believe he could have used any other force option at the time he chose to fire his weapon because he believed he was dealing with an armed suspect.

Deputy Mrad said it was not until after the shooting that he learned deputies were on the other side of the east wall at [redacted] Elberland Street.

Deputy [redacted] was interviewed on April, 29, 2015, at the Internal Affairs Bureau Offices by Sergeants Catrina Khasaempanth and Brenda Gibson. Deputy [redacted] was represented by Maureen Okwuosa of Green and Shinee Law Firm.



Deputy [redacted] provided a statement and description of the incident during an interview with Homicide detectives. She also provided statements in a deposition on March 11, 2015. Refer to Deputy [redacted]'s Homicide interview transcripts and deposition transcripts for further.

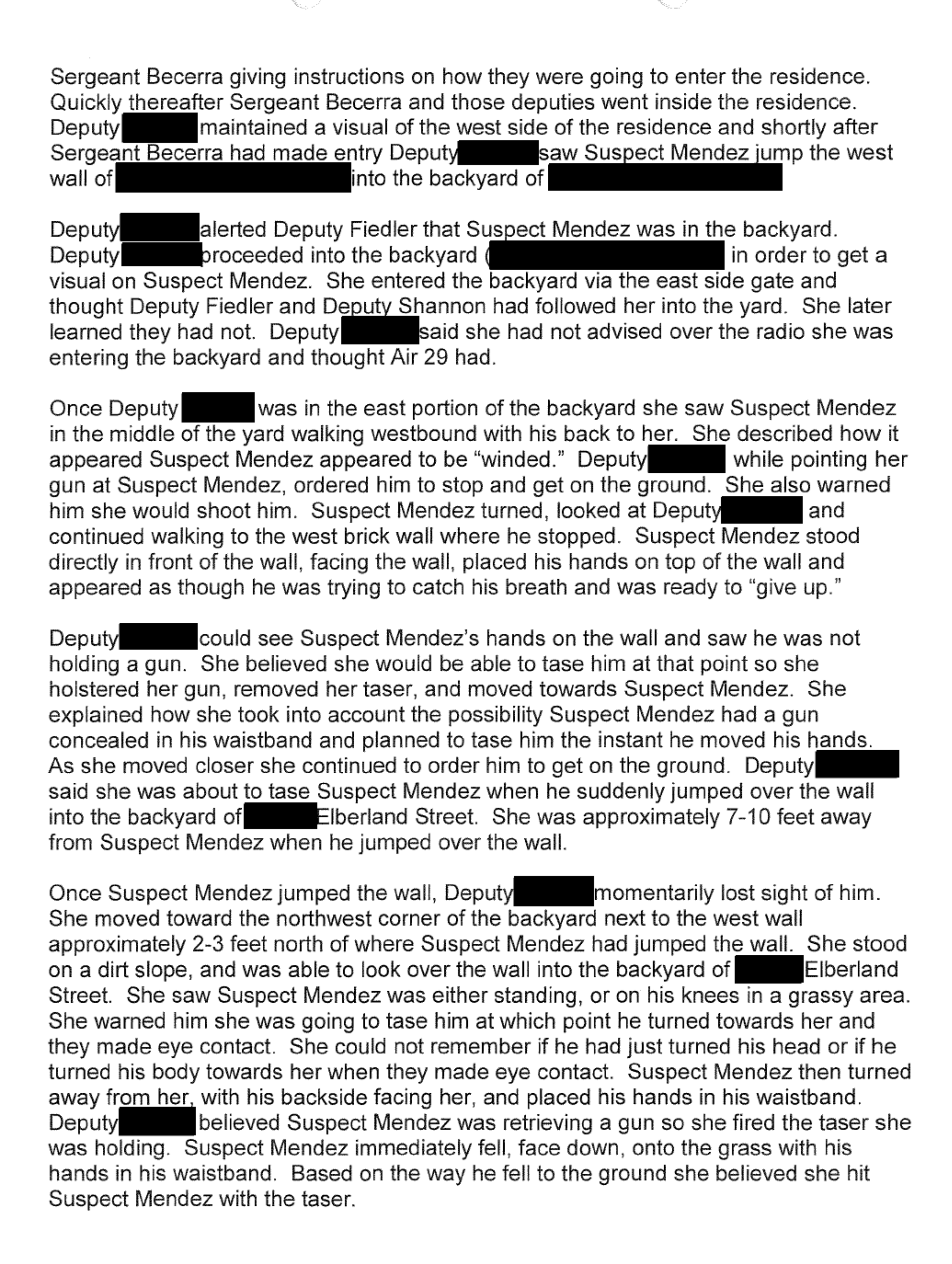
Deputy [redacted] said she was working patrol as a [redacted] at the time of this shooting and was partnered with her [redacted] Deputy Shannon. She added it was their first day working together. Deputy [redacted] heard a call for service broadcasted of a robbery now occurring in the Three Oaks community in the city of Walnut. The call stated the informant was upstairs in the residence and could hear fighting downstairs. The call also stated the suspect was armed with a gun.

While responding to the call for service Deputy [redacted] heard radio broadcasts of assisting units in pursuit of the suspect vehicle. Air 29 arrived on scene and provided updates of Suspect Mendez's location. As Deputy [redacted] was driving near the corner of Abelian Street and Elberland Street, Air 29 called out Deputy [redacted]'s patrol car rooftop number and told her to stop where she was at. Air 29 further described how Deputy [redacted] was directly in front of the house where Suspect Mendez was at. Air 29 described the house as having a pool. At the direction of Air 29, Deputy [redacted] stopped her vehicle (SH0618) in front of [redacted] Elberland Street. She along with her [redacted] Deputy Yvonne Shannon, quickly exited their vehicle and ran to the white metal, side gate at [redacted] Elberland Street.

Once Deputy [redacted] arrived at the gate she looked through the metal mesh on the gate and saw Suspect Mendez running between the pool and gate. She ordered Suspect Mendez to stop running and get on the ground while she simultaneously opened the unlocked gate. She said Suspect Mendez turned and looked in her direction appearing as though he heard her commands. As she opened the gate she encountered a large German Shepard dog which caused her to immediately close the gate. Suspect Mendez continued eastbound and jumped over the east wall into the backyard of [redacted] Elberland Street. Deputy [redacted] said she was unable to advise over the radio she had a visual of Suspect Mendez because Air 29 was constantly transmitting. Deputy [redacted] said she was unable to determine if Suspect Mendez was armed or not due to the metal mesh on the gate which limited her view.

Deputy [redacted] along with Deputy Shannon proceeded next door into the gated front yard of [redacted] While in that yard, Air 29 advised Suspect Mendez had entered into a residence. Deputy [redacted] believed Suspect Mendez entered [redacted] based on the fact the garage door was open and she saw Sergeant Becerra and additional deputies moving towards that house. Deputy [redacted] stayed on a containment position in the front yard of [redacted] near the east wall, with Deputy Fiedler. Deputy [redacted] said Deputy Fiedler had fallen and she stayed with him.

While on the containment position, Deputy [redacted] said she saw Sergeant Becerra and additional deputies standing in the driveway of [redacted] and she heard



Sergeant Becerra giving instructions on how they were going to enter the residence. Quickly thereafter Sergeant Becerra and those deputies went inside the residence. Deputy [redacted] maintained a visual of the west side of the residence and shortly after Sergeant Becerra had made entry Deputy [redacted] saw Suspect Mendez jump the west wall of [redacted] into the backyard of [redacted]

Deputy [redacted] alerted Deputy Fiedler that Suspect Mendez was in the backyard. Deputy [redacted] proceeded into the backyard ([redacted] in order to get a visual on Suspect Mendez. She entered the backyard via the east side gate and thought Deputy Fiedler and Deputy Shannon had followed her into the yard. She later learned they had not. Deputy [redacted] said she had not advised over the radio she was entering the backyard and thought Air 29 had.

Once Deputy [redacted] was in the east portion of the backyard she saw Suspect Mendez in the middle of the yard walking westbound with his back to her. She described how it appeared Suspect Mendez appeared to be "winded." Deputy [redacted] while pointing her gun at Suspect Mendez, ordered him to stop and get on the ground. She also warned him she would shoot him. Suspect Mendez turned, looked at Deputy [redacted] and continued walking to the west brick wall where he stopped. Suspect Mendez stood directly in front of the wall, facing the wall, placed his hands on top of the wall and appeared as though he was trying to catch his breath and was ready to "give up."

Deputy [redacted] could see Suspect Mendez's hands on the wall and saw he was not holding a gun. She believed she would be able to tase him at that point so she holstered her gun, removed her taser, and moved towards Suspect Mendez. She explained how she took into account the possibility Suspect Mendez had a gun concealed in his waistband and planned to tase him the instant he moved his hands. As she moved closer she continued to order him to get on the ground. Deputy [redacted] said she was about to tase Suspect Mendez when he suddenly jumped over the wall into the backyard of [redacted] Elberland Street. She was approximately 7-10 feet away from Suspect Mendez when he jumped over the wall.

Once Suspect Mendez jumped the wall, Deputy [redacted] momentarily lost sight of him. She moved toward the northwest corner of the backyard next to the west wall approximately 2-3 feet north of where Suspect Mendez had jumped the wall. She stood on a dirt slope, and was able to look over the wall into the backyard of [redacted] Elberland Street. She saw Suspect Mendez was either standing, or on his knees in a grassy area. She warned him she was going to tase him at which point he turned towards her and they made eye contact. She could not remember if he had just turned his head or if he turned his body towards her when they made eye contact. Suspect Mendez then turned away from her, with his backside facing her, and placed his hands in his waistband. Deputy [redacted] believed Suspect Mendez was retrieving a gun so she fired the taser she was holding. Suspect Mendez immediately fell, face down, onto the grass with his hands in his waistband. Based on the way he fell to the ground she believed she hit Suspect Mendez with the taser.

IAB Note: Deputy [redacted] indicated where she was and where Suspect Mendez was at the time she fired the taser. Refer to photograph under **Exhibit H** ("X" indicates [redacted] s position; circle indicates Suspect Mendez).

Deputy [redacted] explained how although she believed Suspect Mendez was about to retrieve a gun she chose to use the taser because it was in her hand. She felt if she got rid of the taser and retrieved her duty weapon it would have allowed Suspect Mendez time to retrieve a gun in his waistband and shoot her.

Deputy [redacted] said after Suspect Mendez fell, face down to the ground, her view of him was partially blocked by palm trees. She could see his legs were slightly moving but she was unable to clearly see the upper portion of his body. Deputy [redacted] said she kept the taser trigger pressed for approximately 10-20 seconds while Suspect Mendez lay on the ground.

IAB Note: In reviewing the Taser information printout from Deputy [redacted] s taser it indicated the taser had been activated for a total of twenty seconds. Refer to **Exhibit** A, page 99 for further.

Deputy [redacted] described what occurred during those 10-20 seconds of taser activation. She said after the initial firing of the taser, she broadcasted over the radio she had tased Suspect Mendez. Sergeant Kim arrived in the same backyard as her and stood next to her. Deputy [redacted] heard radio traffic from Air 29 stating, "Code 4 Adam, there is a deputy in the backyard with him." Deputy [redacted] thought Air 29 was referring to her and they had seen her tase Suspect Mendez. Sergeant Kim then asked her if she had tased Suspect Mendez and she confirmed she had. Sergeant Kim started to jump over the wall so Deputy [redacted] kept the taser trigger pressed in order to keep Suspect Mendez incapacitated while Sergeant Kim jumped over. She was concerned that if she released the taser trigger, Suspect Mendez might get up and retrieve a weapon from his waistband. In order to prevent that from occurring she kept the taser activated as Suspect Mendez lay on the ground. As Sergeant Kim was on the top portion of the wall Deputy [redacted] looked at him and in the backdrop she saw deputies in the backyard of [redacted] Elberland Street. The deputies were in the patio area just north of the opened white wrought iron fence. She saw deputies moving and standing in the patio area.

Deputy [redacted] heard the deputies screaming but was unable to determine what they were saying. Deputy [redacted] then heard several "pops" and thought the deputies were firing tasers. She soon realized the pops were gunshots and she, along with Sergeant Kim, ducked behind the wall where she released the taser trigger. When the gunfire stopped Deputy [redacted] removed the taser cartridge from the taser gun, placed the cartridge on top of the wall separating [redacted] and [redacted] and proceeded to the front yard of the residence.

Employee Witnesses

The following narratives are intended only as a synopsis of the recorded interviews of the witness employees statements to Internal Affairs Bureau Investigators. Additional information and precise wording may be obtained by reviewing the recorded interviews and transcriptions included with this case.

Sergeant Erick Kim was interviewed on April 21, 2015 at the Internal Affairs Bureau offices by Sergeants Catrina Khasaempanth and Brenda Gibson. Sergeant Kim was represented by Maureen Okwuosa of Green and Shinee Law Firm.

Sergeant Kim provided a statement and description of the incident during an interview with Homicide detectives. He also provided statements in a deposition on March 12, 2015. Refer to Sergeant Kim's Homicide interview transcripts and deposition transcripts for further.

Sergeant Kim was in the Walnut Station Detective Bureau when he heard a robbery in progress call for service. The call stated the suspect was inside the house and fighting with the informant's [redacted]. Sergeant Kim continued to monitor the call and when he heard Suspect Mendez had crashed his vehicle and ran through a supermarket he left the station and responded to the area to assist as needed.

Sergeant Kim said he responded in a marked patrol vehicle and was wearing a marked green Sheriff's raid jacket with blue jeans. He also had his gun with him but was unsure if he had a handheld radio.

Sergeant Kim drove towards the area where he saw Air 29 hovering. While on Elberland Street he positioned himself on a containment position just east of [redacted] At the time there were no other patrol vehicles nearby and he did not see any deputy personnel. Sergeant Kim heard Air 29 say Suspect Mendez was under a patio and they had lost sight of him. Sergeant Kim was unsure what patio Air 29 was referring to.

Sergeant Kim exited his vehicle and stood by the hood. Approximately thirty seconds later he saw a male Hispanic (Suspect Mendez) come out of the east side area of [redacted] and head towards the front yard. At the time Sergeant Kim said he thought the male was a resident because the original call for service stated the suspect was a male Black. Suspect Mendez made eye contact with Sergeant Kim, turned and held his pants with both hands at the waist then ran towards the front door of the residence. Sergeant Kim then realized the male was the wanted suspect they were looking for and ordered Suspect Mendez to stop and show his hands.

Sergeant Kim explained how at the moment when Suspect Mendez grabbed the waistband area of his pants he thought Suspect Mendez was either trying to prevent his gun from falling or was attempting to arm himself. Although Sergeant Kim was unable to determine at that point if Suspect Mendez was armed he believed he was based on the information in the original call.

Suspect Mendez opened the front door security screen, kicked in the front door, and entered the residence. Sergeant Kim moved to his west and used the two cars in the driveway of [redacted] as concealment. From his location Sergeant Kim was able to see inside the garage and into the house with a view to the back yard door of the house.

Approximately 5-10 seconds later he saw Sergeant Becerra walking, with two additional deputies, inside of the house coming from the back door towards the front. He yelled out to her that Suspect Mendez was inside the residence. He explained the reason he had not transmitted what he saw over the radio was because he was focused on covering the garage in the event Suspect Mendez entered the garage. Additionally, he was concerned with the safety of Sergeant Becerra and wanted to alert her.

Approximately five seconds later Sergeant Kim saw Suspect Mendez jump out of a window on the east side of the residence. Suspect Mendez ran north into the back yard and westbound out of Sergeant Kim's view.

IAB Note: Sergeant Kim indicated on a photograph (**Exhibit I**) where he saw Suspect Mendez.

Sergeant Kim slowly moved towards the east side gate and was told by a male (Witness [redacted] resident that Suspect Mendez had just jumped over the west fence. The male resident showed Sergeant Kim where Suspect Mendez had jumped the fence. Sergeant Kim looked over the fence from a different spot than where Suspect Mendez had jumped.

When Sergeant Kim looked over the fence into the backyard of [redacted] he saw Suspect Mendez running towards the west wall of that yard. He saw Deputy [redacted] run through the east side gate of [redacted] and into the backyard where Suspect Mendez was. Sergeant Kim was unsure but thought he saw Deputy [redacted] holding a taser in her hand. Suspect Mendez jumped the west wall into the backyard of [redacted] Elberland Street and Sergeant Kim lost sight of him. Deputy [redacted] ran to the north portion of the west wall and stood on the backyard embankment of [redacted] Sergeant Kim jumped the west wall of [redacted] into [redacted] He watched Deputy [redacted] reach her arm over the west wall and fire her taser.

Sergeant Kim said it appeared as though Deputy [redacted] had the taser activated for approximately five seconds. In those five seconds he ran up to the same wall she was at and stood to her left. He asked Deputy [redacted] if she hit Suspect Mendez and she did not reply. Sergeant Kim said she appeared to have a blank stare and had her arm still extended over the wall. Sergeant Kim heard a loud popping noise and thought it was an additional taser activation.

Sergeant Kim pulled himself up onto the wall, waist high, and looked over to see where Suspect Mendez was so he could affect an arrest. He continued to hear popping noises while on top of the wall. He saw Suspect Mendez was face down on the ground with his hands at his waist. Sergeant Kim explained the reason he did not continue over the wall was because Suspect Mendez did not appear to be subdued. He did not show the normal movements of flopping around as someone whom was being tased would. Sergeant Kim did not want to proceed without additional deputies to assist.

While still on the wall, Sergeant Kim smelled gunpowder and looked to his left. He saw deputies in the backyard of [redacted] Elberland Street and realized the noises he heard were gunshots. He immediately jumped off the wall back into the yard of [redacted] and proceeded to the front yard.

Deputy Yvonne Shannon was interviewed on April 20, 2015, at the Internal Affairs Bureau Offices by Sergeants Catrina Khasaempanth and Brenda Gibson. Deputy Shannon was represented by Maureen Okwuosa of Green and Shinee Law Firm.

Deputy Shannon also provided a statement and description of the incident during an interview with Homicide detectives. Refer to her Homicide interview transcripts for further.

Deputy Shannon said she was responding (with her partner Deputy [redacted] to a robbery in progress call for service which stated the suspect was armed with a gun and was hitting an occupant of the residence.

While enroute to the call Deputy Shannon heard deputies broadcast they were in vehicle pursuit of Suspect Mendez. Continual radio updates advised of Suspect Mendez's location. At the point when Deputy Shannon heard Suspect Mendez was on foot in the residential area of Abelian Avenue, her partner Deputy [redacted] stopped the patrol vehicle at the corner of Abelian Avenue and Elberland Street.

IAB Note: Deputy Shannon indicated her patrol vehicle's location on a photograph (**Exhibit J**).

Deputy Shannon exited the passenger side of her patrol vehicle and stood between the car and [redacted] Elberland Street. She saw Suspect Mendez jump over the west wall of [redacted] Elberland Street going east. Deputy Shannon was unable to determine if Suspect Mendez was armed or not.

Air 29 advised Suspect Mendez had jumped additional fences and was in the backyard of [redacted] Deputy Shannon saw deputies in the front yard and she followed those deputies to the backyard, via the east side gate. She could not remember which deputies she followed but remembered there were approximately 5-6 additional deputies. When she arrived in the backyard she saw additional deputies already present. Deputy Shannon proceeded back to the front yard and when she was on the east side of the residence she saw Sergeant Kim pointing and saying, "He went

that way," which she interpreted to mean Suspect Mendez had left in a westerly direction. Air 29 advised Suspect Mendez had jumped the wall and doubled back heading west. She followed 5-6 deputies to the front of the residence and proceeded west.

Air 29 broadcasted Suspect Mendez was in a backyard with a pool, which led Deputy Shannon and the additional 5-6 deputies to [redacted] Elberland Street. Deputy Shannon and the additional deputies entered the backyard via the large white metal side gate. Deputy Shannon said she was holding her gun as she entered the backyard but it was pointed towards the ground. She could not remember if anyone announced over the radio that they were entering the backyard but stated she had not.

Deputy Shannon was the last deputy of the group to enter the backyard and saw the deputies in front of her spread out and form somewhat of a line, standing side-by-side. As she entered through the gate and was behind the deputies, she saw they had their guns pointed at Suspect Mendez who was lying face down on the ground with his hands tucked under his body and he was looking at the deputies. Deputy Shannon thought she heard Air 29 advise deputies were detaining Suspect Mendez at gunpoint. Deputy Shannon said it appeared to her the deputies were yelling commands at Suspect Mendez but she could not hear what was said due to the noise from Air 29.

Deputy Shannon explained how she was unable to point her gun at Suspect Mendez because she was standing behind the deputies and it was not safe to do so. As she walked to stand in the line between two deputies (the two standing furthest left/west) she heard a "pop" noise and then more "pop" noises. She soon realized the pop noises were gunshots that were coming from the deputies in line. As she met up with the line of deputies she was able to safely point her gun at Suspect Mendez but at that very moment the shooting stopped. She did not fire her weapon.

> **IAB Note:** Deputy Shannon indicated on a photograph marked as two (**Exhibit J**) where she was positioned (designated by an "X") at the time of the shooting.

At some point Deputy Shannon said she saw Suspect Mendez had been tased but she could not remember if it was before or after the shooting occurred. Additionally, she was unable to recall what it was that led her to believe Suspect Mendez had been tased.

Sergeant Angela Becerra was interviewed on April 21, 2015, at the Internal Affairs Bureau offices by Sergeants Catrina Khasaempanth and Brenda Gibson. Sergeant Becerra was represented by Maureen Okwuosa of Green and Shinee Law Firm.

Sergeant Becerra provided a statement and description of the incident during an interview with Homicide detectives. She also provided statements in a deposition on March 12, 2015. Refer to Sergeant Becerra's Homicide interview transcripts and deposition transcripts for further.

Sergeant Becerra was working as the Walnut Station Detective Bureau Sergeant when she heard the call for service regarding a robbery in progress call for service. She explained how due to the nature of the call and knowing the lack of man power available on the shift, she responded with Detective Joseph Sanchez to assist field personnel in whatever capacity she was needed.

Sergeant Becerra said they responded in a gray Crown Victoria and she was wearing civilian clothing with a marked Sheriff's Department cover vest over her blouse. The vest contained her pepper spray, ammunition magazines and handcuffs. She also had her badge and gun with her. She thought her handheld radio was inside her vest. She later learned it was not.

While enroute to the call she heard radio updates advising of Suspect Mendez's location. She also heard the field sergeant advise she was responding as well.

At the point when she heard radio traffic advising Suspect Mendez was running through backyards on Northam Street, Detective Sanchez drove to that neighborhood and Air 29 directed them to stop their vehicle at Abelian Avenue and Northam Street. Air 29 then advised Suspect Mendez was going northbound in backyards on Abelian Avenue. Sergeant Becerra exited her vehicle and paralleled Suspect Mendez. At one point she saw Suspect Mendez jumping a fence on Abelian Avenue. She made eye contact with him and told him to stop but he ignored her command. She was unable to determine if he was armed or not. Sergeant Becerra also remembered deputies trying to enter a backyard on Abelian Avenue near [redacted] Elberland Street. She told them not to enter the backyard and instead to establish a containment.

As Sergeant Becerra continued to parallel Suspect Mendez's movements, she was able to monitor radio traffic by listening to the radios of the deputies in close proximity to her. She heard Air 29 advise Suspect Mendez was in a backyard with an awning. Sergeant Becerra was unsure which house Air 29 was referring to because she could not see a backyard from her vantage point. At the same time a female ran out of [redacted] frantically waiving her hands and stated Suspect Mendez was in her yard.

Sergeant Becerra said she could see through the women's house from the front of the open garage to the backyard. She was unsure if anyone else was inside and was concerned Suspect Mendez may carry out another home invasion robbery or take a resident inside hostage. Her plan was to go inside the house and "clear it." Once the interior of the house was secured she would contain Suspect Mendez in the backyard if in fact he was there. Sergeant Becerra said she told the deputies who were with her about her plan. She was unsure who the deputies were but thought two of them were Deputies Esparza and Orozco.

Sergeant Becerra explained how as she was getting ready to enter the garage of [redacted] she saw additional deputies trying to get to the backyard through the west side of the house. She told them not to go that way and they should instead go together with her into the house to make sure no one was inside. She said one of those

deputies stopped and went with her into the house with the team of deputies she already had. They entered the residence via the garage door and searched as they walked to the back door. Sergeant Becerra said everything was happening so quickly and therefore she was unable to direct anyone to announce over the radio they were making entry into the residence.

When she reached the back door of the residence she saw an additional 3-4 unknown deputies in the backyard. Air 29 advised Suspect Mendez was in the backyard so she exited the house with Deputies Orozco and Esparza and searched the backyard with the additional deputies who were already there. They did not see Suspect Mendez in the backyard so Sergeant Becerra re-entered the house via the back door. She headed towards the garage and as she reached the interior garage door she saw Sergeant Kim standing outside of the garage. Sergeant Kim told her Suspect Mendez was inside the house. She also heard Air 29 advise Suspect Mendez was inside the house but heard them also advise he had exited the house. She along with Deputy Orozco searched the home looking for Suspect Mendez. During their search Air 29 advised Suspect Mendez had exited the home on the east side. She exited the front of the house and saw deputies going westbound.

Sergeant Becerra followed the deputies to [redacted] Elberland Street. As she came around the corner into the driveway of the residence she saw several deputies in the backyard and could hear "Show me your hands," being said. As she was approaching the opened wrought iron gate of [redacted] Elberland Street she saw Sergeant Kim on top of the east wall. She described Sergeant Kim as being in the rear yard of [redacted] with his hands placed on top of the wall that separates [redacted] and [redacted] Elberland Street. It appeared as though he was pushing his body up above the wall in preparation to jump into the yard of [redacted] Elberland Street. Around the same time, she heard a "pop" noise and thought it sounded as though it came from the area of Sergeant Kim. She was unsure if the pop noise occurred after or before she saw Sergeant Kim.

Soon thereafter Sergeant Becerra heard additional pop noises. She could taste and smell gunpowder then realized the pops she heard were gunshots. At the time the gunshots occurred she was approximately 5-7 feet behind the deputies who were shooting. She described the deputies as being lined up in a crescent moon shape. As she moved closer and towards the west near the deputies who were shooting she saw glimpses of Suspect Mendez. She saw what she thought was Suspect Mendez moving his hands underneath him. When the shooting concluded Sergeant Becerra along with Deputy Orozco and one additional deputy approached Suspect Mendez and handcuffed him.

Sergeant Becerra said the first pop she heard sounded very similar to the rest of the pops she heard. She said her first thought was Sergeant Kim had fired his gun because the noise was faint and appeared to be coming from his direction. Sergeant Becerra said it was not until after the shooting stopped that she learned a taser had been fired.

Sergeant Christina Baker was interviewed on May 6, 2015, at the Internal Affairs Bureau offices by Sergeants Catrina Khasaempanth and Brenda Gibson. Sergeant Baker was represented by Maureen Okwuosa of Green and Shinee Law Firm.

Sergeant Baker said she was working as the field sergeant at the time of this incident. She explained how she was the only field sergeant that evening and therefore was responsible for responding to any priority calls for service, deputy assistant requests, or any other matters in the field which needed to be addressed by a supervisor. She was responsible for covering all of the patrol areas in Walnut Station's jurisdiction.

Sergeant Baker said when the robbery in progress call at the Three Oaks Community was broadcasted she was in the city of Diamond Bar at the time. She immediately responded with emergency lights and sirens. As she was driving north on Lemon Avenue approaching Three Oaks Lane she saw a black car (Suspect Mendez's vehicle) driving west from Three Oaks Lane at a high rate of speed. Suspect Mendez drove left onto southbound Lemon Avenue with two patrol vehicles (Deputies Stevin Fiedler and Denny Tseng) pursuing after him.

Sergeant Baker made a U-turn and followed behind on southbound Lemon Avenue making her the third vehicle in the pursuit of Suspect Mendez. She advised over the radio she was present in the pursuit. As they pursued south on Lemon Avenue the road became windy and she had to slow down in order to prevent her from losing control of her patrol vehicle. She explained how she was driving a Chevy Tahoe and the vehicle can be top heavy when travelling at high speeds around corners. Sergeant Baker described how as they continued south on Lemon Avenue, Suspect Mendez and pursuing deputies pulled away from her to the point where she could no longer see them on the windy road. She monitored the radio and heard pursuing deputies broadcast Suspect Mendez was turning westbound on La Puente Road. As Sergeant Baker was attempting to catch up to the pursuit she heard pursuing deputies advise Suspect Mendez was driving west on La Puente Road and had turned left into the Bestway Supermarket shopping center where he collided into another vehicle. Additionally, she heard Suspect Mendez had exited his vehicle and ran through the supermarket.

When Sergeant Baker arrived at the Bestway Supermarket parking lot she saw Suspect Mendez's vehicle had collided into a delivery truck which was parked in front of the store. She saw Deputy Denny Tseng #[redacted] detaining a female (Witness [redacted] at gunpoint. Witness [redacted] was lying in the prone position on the asphalt of the parking lot. Sergeant Baker exited her patrol vehicle to assist Deputy Tseng and as she moved closer she saw a young child, approximately five years old [redacted] FH/5 [redacted] of Witness [redacted], laying on top of the female with her hands wrapped around Witness [redacted] s neck. As Deputy Tseng continued to detain at gunpoint, Sergeant Baker approached the women and removed the child from her back. Sergeant Baker carried the child back to her patrol vehicle and secured her inside.

Sergeant Baker and Deputy Tseng then approached Suspect Mendez's vehicle to ensure there were no other occupants. After they determined the car was unoccupied Sergeant Baker handcuffed and searched Witness [redacted] then placed her in the backseat of Deputy Tseng's patrol vehicle.

Sergeant Baker explained how during the time she assisted Deputy Tseng in the securing of Witness [redacted] and her child, she was simultaneously monitoring radio traffic. She heard Air 29 broadcast Suspect Mendez's location. She remembered hearing how Suspect Mendez had jumped several walls, doubled back, entered and exited a house and was moving back towards her direction. She thought at the time deputy personnel on the ground were unable to get a visual of Suspect Mendez which was why Air 29 continued to announce all of Suspect Mendez's movements. Sergeant Baker said as she was attempting to get in contact with someone to arrange for DCFS to take custody of the child, she heard gunshots. She immediately removed the child from her patrol vehicle and placed her in the front seat of Deputy Tseng's patrol vehicle. She drove towards La Puente Road near the backyard of [redacted] Elberland Street.

Soon thereafter she drove to Nogales High School where she established a command post.

Sergeant Baker explained how when she arrived at the Bestway supermarket Deputy Tseng was the only deputy at the location. She felt she needed to assist him with securing Witness [redacted] and the child. She knew other deputies were in the area but were helping with locating and establishing a containment of Suspect Mendez. She added how the situation was rapidly evolving and at some point she had to direct a deputy to respond to the initial location of the robbery to determine what type of crime they had.

Deputy Russell Helbing provided written documentation regarding his observations during the incident. Refer to his Supplemental Report (**Exhibit A,** pages 31-32) for further.

Deputy Helbing stated he was working Air 29 with his partner Deputy Thomsen. At approximately 1659 hours he heard, over the helicopter scanner, Walnut Station dispatch a home invasion robbery in progress call for service. They were approximately seven minutes away from the location when they responded to the call. Deputy Helbing was the observer deputy and Deputy Thomsen was the helicopter pilot.

While enroute Deputy Helbing heard Walnut Station units broadcast they were in vehicle pursuit of the robbery suspect's vehicle, a black Honda Accord. As Air 29 came on scene Deputy Helbing saw Suspect Mendez's vehicle driving west in the eastbound lanes on La Puente Road, approaching the intersection of Nogales Street. Deputy Helbing assumed radio broadcast responsibility at that point.

Deputy Helbing saw Suspect Mendez's vehicle turn south into the south east corner shopping center at La Puente Road and Nogales Street. Suspect Mendez's vehicle had

entered the shopping center via the driveway just west of the Kentucky Fried Chicken and continued south through the parking lot. The vehicle turned west in front of the Bestway Supermarket and stopped. Suspect Mendez exited the driver's door and fled on foot into the supermarket. Deputy Helbing did not see anyone else exit the vehicle.

Deputy Helbing directed assisting units to respond to the rear of the store. Prior to the arrival of any ground units Suspect Mendez exited the rear of the supermarket and jumped over a wall into the backyard of [redacted] Deputy Helbing updated ground units of Suspect Mendez's location directing them to containment positions. Suspect Mendez continued towards the front yard of the residence and as he approached the front yard the first marked Sheriff's vehicle drove onto the street within view of Suspect Mendez. Suspect Mendez then traversed several fences heading eastbound in the backyards of residences on Northam Street. Suspect Mendez continued north in the backyards of the residences on Abelian Avenue. He continued east in the backyards of residences on Elberland Street.

As Suspect Mendez reached the backyard of [redacted] Deputy Helbing lost sight of him under a patio cover. Deputy Helbing saw deputies enter the same backyard and as they did so, Suspect Mendez exited the front door of the residence. Suspect Mendez quickly turned around and went back inside the residence. Deputy Helbing next saw Suspect Mendez in the rear yard jumping the west fence into the rear yard of [redacted]

Deputy Helbing saw a deputy chase Suspect Mendez through the rear yard of [redacted] where Suspect Mendez jumped over the west wall into the rear yard of [redacted] Elberland Street. The deputy in the rear yard stopped at the west wall. Deputy Helbing saw additional deputies approaching the front of the east gate at [redacted] Elberland Street. Deputy Helbing looked to the west and north of the yard to ensure there were deputies in the area to contain Suspect Mendez should he continue running in those directions. Deputy Helbing explained how as he was looking to his west and north he could see in his peripheral view Suspect Mendez fall chest down onto the ground in the north east area of the yard at [redacted] Elberland Street. Shortly thereafter he heard a deputy broadcast a deputy involved shooting had occurred.

Deputy Helbing described how although he saw several deputies in the rear yard facing north towards Suspect Mendez with their firearms drawn, he had not seen any shots fired.

Deputy Helbing said the helicopter was orbiting approximately 300 feet above ground level and traveling in a west/south west direction when Suspect Mendez went to the ground.

Deputy Richard Thomsen #[redacted] provided written documentation regarding his observations during the incident. Refer to his Supplemental Report (**Exhibit A,** page 33) for further.

Deputy Thomsen stated he was working Air 29 with his partner Deputy Helbing when they responded to Walnut Station's area regarding a home invasion robbery call for service. Deputy Thomsen was the helicopter pilot and Deputy Helbing was the Tactical Flight Deputy/Observer.

While enroute to the call Walnut Station deputies broadcasted they were in pursuit of the Suspect's vehicle. Deputies Thomsen and Helbing arrived on scene as the Suspect's vehicle turned into the parking lot on the southeast corner of La Puente Road and Nogales Street.

Deputy Thomsen explained how as the pilot his primary duty was to fly the helicopter. He had to ensure they did not collide with other aircraft or additional hazards (antennas, power lines, trees, etc.) in the area, while at the same time monitor all flight instruments and engine gauges for the aircraft. While orbiting above Suspect Mendez, Deputy Thomsen was monitoring the radio traffic being broadcasted by Deputy Helbing. With the information being broadcasted, along with Deputy Thomsen's own observations of Suspect Mendez running through backyards he was able to keep the aircraft orbiting above Suspect Mendez.

At one point as Deputy Thomsen looked out the window he saw Suspect Mendez laying in the backyard of a residence. Approximately thirty seconds later he heard ground units broadcast they had been involved in a deputy involved shooting.

Non-Employee Witnesses

Witness [redacted] was interviewed on February 14, 2014 by Homicide Investigators Kathleen Gallagher and Philip Guzman (refer to pages 67-68 **Exhibit A** for Homicide Investigators Gallagher and Guzman's Supplemental Report). She was additionally interviewed on February 17, 2014, by Homicide Investigators Karen Shonka and Wayne Holston (refer to pages 43-44 **Exhibit A** for Homicide Investigators Holston and Shonka's Supplemental Report). The interviews were audio recorded.

Witness [redacted] was the Female passenger who was with Suspect Mendez when Walnut Station deputies went in vehicle pursuit of Suspect Mendez. The vehicle driven by Suspect Mendez during the pursuit belonged to Witness [redacted]s [redacted].

Witness [redacted] described how she had only known Suspect Mendez for approximately one month and they were friends only. Witness [redacted] said she along with her [redacted] ([redacted] F/4) went to visit Suspect Mendez at a motel. During the visit Suspect Mendez asked if he could borrow her [redacted]'s car which she gave him permission to do. He returned with the car and told Witness [redacted] he needed to go to a friend's house and pick up some money that was owed to him. Witness [redacted] agreed to go with him to the friend's house.

Suspect Mendez drove directly to [redacted] where he parked the car in front of the house and told her to wait. Witness [redacted] watched him walk

along the eastside of the house. She did not see him again until he came back to the car to leave. As they were leaving they were involved in a pursuit. Witness [redacted] continually asked him to stop the vehicle but he told her to "Shut up." When they arrived at Bestway Market he drove to the front of the store and jumped out, leaving the car rolling into a truck. Witness [redacted] said she remained in the car with her [redacted] until deputies told her to get out. Witness [redacted] was unaware Suspect Mendez was going to rob someone.

Witness [redacted] had no knowledge of Suspect Mendez being in possession of a gun. Witness [redacted] said she did not see Suspect Mendez throw anything from the car while he was trying to evade the police.

Witness [redacted] was interviewed on February 17, 2014, by Homicide Investigators Karen Shonka and Wayne Holston (refer to pages 44-45 of **Exhibit A** for Homicide Investigators Holston and Shonka's Supplemental Report).

Witness [redacted] was the victim of the home invasion robbery that was committed by Suspect Mendez. Witness [redacted] said she had returned home from grocery shopping and lied down in the room near the kitchenette to take a nap. She was awakened by a strange noise and was confronted by Suspect Mendez. Suspect Mendez told her he was there to collect money that was owed to him. He said "David" owed him thirty thousand dollars from the casino. Witness [redacted] did not know a "David" and was unaware of any money owed.

Suspect Mendez told Witness [redacted] to get the money because he did not want to have to use his weapon. Witness [redacted] described how Suspect Mendez pointed to a bulge in his waistband but she never saw a weapon. Witness [redacted] walked into the kitchen, took one hundred and fifty dollars from her purse, and gave it to Suspect Mendez. Witness [redacted] said when she turned her head Suspect Mendez hit her on the head with a very hard object which she thought was a gun. Witness [redacted] thought she must have passed out afterwards because when she came to, she was lying on the hallway floor near the entrance to the garage.

> **IAB Note:** Witness [redacted] was transported to UCI Medical Center where she was treated by Doctor Dolich for subarachnoid hemorrhage (bleeding in the brain). Witness [redacted] also had redness, swelling and scratches to her facial area. Refer to **Exhibit A**, page 28 for further.

Witness [redacted] was interviewed on February 13, 2014, by Homicide Investigators Sylvia Brossoit and Helen Ewell (refer to pages 93-95 of **Exhibit A** for Homicide Investigators Brossoit and Ewell's Supplemental Report).

Witness [redacted] lives at the location where the home invasion robbery occurred and was the person who called Walnut Sheriff's Station for help.

Witness [redacted] said he was home with his [redacted] Witness [redacted] who was taking a nap in a small downstairs bedroom. Witness [redacted] was upstairs in his bedroom when he heard his [redacted] at the front door talking to Suspect Mendez. Witness [redacted] heard Suspect Mendez ask his [redacted] if her [redacted] was home. Suspect Mendez told his [redacted] that her [redacted] went to a casino and owed him (Suspect Mendez) money. If her [redacted] was not home than she would have to pay him the money owed.

Witness [redacted] looked out his bedroom window and saw a black Chevy vehicle parked outside of the home against the curb facing north. Witness [redacted] moved to the top of the stairs where he stood and heard the front door shut. He also heard Suspect Mendez tell Witness [redacted] he had a gun and she did not want him to have to use it.

Witness [redacted] hid in the closet of the second story master bedroom where he called "911." He remained on the phone until the deputies arrived on scene. While in the closet Witness [redacted] heard what he believed were fighting, struggling, and banging sounds. He heard his [redacted] screaming and thought his [redacted] was being hit. At some point he no longer heard his [redacted] and assumed she had been knocked out by Suspect Mendez.

Witness [redacted] said once the 911 operator told him Suspect Mendez had left the location he went downstairs and found his [redacted] near the interior garage door. He could see bruises on his [redacted] but did not see any bleeding. Witness [redacted] said his [redacted] could not remember what happened and he thought she may have been in shock.

Witness [redacted] thought the entire incident lasted approximately ten to fifteen minutes.

Witness [redacted] was interviewed on February 13, 2014, by Homicide Investigators Gary Sloan and Ralph Hernandez (refer to pages 71-71 of **Exhibit A** for Homicide Investigators Sloan and Hernandez's supplemental report). The interview was audio recorded.

Witness [redacted] resides at [redacted] which was the location where Suspect Mendez kicked in the front door and ran inside. Witness [redacted] said he was sitting inside his open garage when he heard a helicopter overhead. Moments later he saw several Sheriff's deputies running towards his house. He thought the deputies may have been pursuing someone so Witness [redacted] went inside his residence in an effort to locate his [redacted] members and lock up the house.

Witness [redacted] walked to the far north sliding glass door, yelling for his [redacted] Witness [redacted] realized his [redacted] was inside the restroom and remembered his [redacted] had been working in the garden on the southeast side yard. When he called out for his [redacted] she answered him. He explained how at some point he

went outside to the backyard and Suspect Mendez ran past him. Soon thereafter he saw deputies entering his backyard though his open garage door and from the east side of his house. He also described how deputies were inside his house searching everywhere.

At some point Witness [redacted] saw Suspect Mendez run west through his back yard and jump over the west fence. Moments later he realized deputies were behind him and they pursued after Suspect Mendez. He said the deputies gave numerous commands for Suspect Mendez to stop running and give up.

Witness [redacted] was interviewed on February 13, 2014, by Homicide Investigators Gary Sloan and Ralph Hernandez (refer to page 72 of **Exhibit A** for Homicide Investigators Sloan and Hernandez's supplemental report). The interview was audio recorded.

Witness [redacted] resides at [redacted] which was the location where Suspect Mendez kicked in the front door and ran inside. Witness [redacted] said she was outside when she saw Suspect Mendez in her fenced in garden area in the west end of her backyard. Suspect Mendez jumped a fence into her garden and he attempted to enter her [redacted] but was unsuccessful. Suspect Mendez exited the garden area and attempted to enter a locked door along the north rear wall of her residence. Suspect Mendez continued to bang on the door so Witness [redacted] yelled out to the deputies who were in front of her house. She told the deputies Suspect Mendez was attempting to break into her house and directed them to where he was. She said the deputies immediately ran to her house and ran in different directions throughout and around her house. As the deputies were at her house Suspect Mendez made entry inside and ran down a hallway.

The next time she saw Suspect Mendez was when he jumped the rear yard west wall into [redacted] and out of her view.

Witness [redacted] was interviewed on February 13, 2014, by Homicide Investigators Gary Sloan and Ralph Hernandez (refer to pages 72-73 of **Exhibit A** for Homicide Investigators Sloan and Hernandez's supplemental report). The interview was audio recorded.

Witness [redacted] was with her [redacted] Witnesses [redacted] and [redacted], who reside at [redacted] which was the location where Suspect Mendez kicked in the front door and ran inside.

Witness [redacted] said she was exiting the restroom when she heard her [redacted] Witness [redacted] yelling for her. She met up with her [redacted] near the sliding glass door and saw deputies run into the residence through the open garage door.

As Witness [redacted] stood in the backyard with her [redacted] she saw deputies searching the area looking for Suspect Mendez. Her [redacted] then told her to go

inside because deputies were searching the backyard. As she stood near the backyard door she saw a shadow inside the home and thought it was Suspect Mendez. She said the deputies were not inside the house at the time.

Witness [redacted] said the only time she saw Suspect Mendez was near the end when he ran west through the backyard near the shed. Witness [redacted] was standing outside near the rear sliding door. She saw Suspect Mendez was in close proximity to Witness [redacted]. She heard deputies command Suspect Mendez to stop.

Miscellaneous

IAB Lieutenant Dominic Valencia checked to see that the Watch Commander, Lieutenant John Saleeby took reasonable steps to ensure that the involved parties and witnesses did not discuss the incident among themselves or with uninvolved persons prior to being interviewed by the assigned investigators, as well as the involved parties and witnesses personnel did not collectively consult with their attorney or representative. In addition, Lieutenant Valencia checked to see if the watch commander attempted to have the involved parties and witness personnel gather in the company of a supervisor until they have provided a statement to the assigned investigators.